HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37748 of 2026

Navneet Chauhan

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Keshari Nath Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Today, power has been filed by Sri Sangam Singh and Sri Amarjeet Choudhary, learned Advocates, on behalf of the informant, which is taken on record.

2. Heard Sri Keshari Nath Tripathi, learned counsel for the applicant, Sri Sangam Singh, learned counsel for the informant and Dr.S.B.Maurya, learned AGA-I, for the State.

3. The instant bail application has been filed on behalf of the applicant with the prayer to release him on bail in Case Crime No.456 of 2025, under Sections 103(1) and 61(2) BNS and Section 3/25/27 Arms Act, Police Station Thakurdwara, District Moradabad during pendency of the trial.

4. Learned counsel for the applicant submits that however, applicant is named in the FIR along with the wife of the deceased and according to the FIR applicant developed illicit relationship with the wife of the deceased, i..e, co-accused Anshu and on the date of incident after entering in the house of the deceased by causing fire arm injury he committed his murder and informant, i.e., father of the deceased witnessed him while he was running from the spot but entire allegations levelled against the applicant are totally false.

5. He further argued that actually nobody could see the real incident and applicant never either entered in the house of the deceased or committed his murder but as informant side was having suspicion that applicant is

having illicit relationship with the wife of the deceased, therefore, after incident FIR of the present case has been lodged.

6. He further argued that incident is said to have taken place at 10.30 PM in the night but FIR of the present case was lodged next day at 6.34 PM in the evening, i.e., after twenty hours and this delay in lodging the FIR clearly suggests that applicant is innocent and the story narrated by informant in the FIR is false.

7. He further argued that applicant is innocent and he is not having any other criminal history and in the present mater he is in jail since 3.12.2025,i.e., for the last more than ten months.

8. Per contra, learned AGA as well as learned counsel for the informant opposed the prayer for bail and submit that informant witnessed the applicant while after committing the murder of the deceased, he was running from the spot and, therefore, prima facie it cannot be said that applicant is innocent.

9. They next submit that as applicant had illicit relationship with the wife of the deceased, therefore, even he was having motive to commit murder of the deceased.

10. They further submit that therefore, considering the facts of the case, the instant bail application may be dismissed.

11. I have heard learned counsel for the parties and perused the record of the case.

12. As per prosecution, applicant was having illicit relationship with the wife of the deceased, i.e., co-accused Anshu and on the date of incident after entering into the house of the deceased he committed his murder by causing fire arm injury to him in the absence of his wife.

13. Record further suggests that as per informant he witnessed the applicant while after committing the murder of the deceased he was running from the spot and even according to him he tried to catch him but he managed to escape.

14. In view of this Court, there is no occasion for this Court to disbelieve

the statement of the informant at this stage.

15. Further, however, learned counsel for the applicant submits that there is delay of twenty hours in lodging the FIR of the present case but effect of alleged delay can only be properly appreciated by trial court during trial.

16. Considering the overall facts and circumstances of the case, prima facie it could not be reflected that applicant is innocent.

17. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is not entitled to be released on bail.

18. Accordingly, the instant bail application is **rejected.**

19. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Sameer Jain,J.)

October 24, 2026
SKM

Digitally signed by :-
SHRAVANA KUMAR MISHRA
High Court of Judicature at Allahabad