HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37911 of 2026

Satish And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Ashok Kumar, Ashwini Kumar Srivastava

Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Ashwini Kumar Srivastava, learned counsel for the applicants, Sri Anil Kumar Jaiswal, learned counsel for the informant as well as Sri D.K. Singh, learned A.G.A. for the State and perused the material placed on record.

3. Applicants seek bail in Case Crime No. 141 of 2026, under Sections 191(2), 115(2), 118(2), 109(1), 352, 351(2) BNS, Police Station Inchauli, District Meerut, during the pendency of trial.

4. Learned counsel for the applicants has argued that the applicants are absolutely innocent and have been falsely implicated in the present case. The FIR is delayed as no date and time of offence is mentioned therein. The real story is that the applicants and the injured person met with an accident and applicant no.2 also sustained injuries. A false case of accidental injury has been converted to that of attempt to culpable homicide, as such, applicants are entitled for bail. There is no explanation of the injuries sustained by the applicant no.2. The date and time of the accident has been subsequently mentioned by the injured person, as an afterthought in his statement, as such, applicants are entitled for bail.

5. Learned counsel for the applicants has further argued that there is no criminal history of the applicants. The applicants are languishing in jail since

18.7.2026 and they are ready to cooperate with trial. In case, the applicants are released on bail, they will not misuse the liberty of bail.

6. Learned A.G.A. and learned counsel for the informant have vehemently opposed the bail application on the ground that the injuries sustained by the injured person are grievous in nature**.**

7. Considering the facts and circumstances of the case, the evidence on record, submissions made by learned counsel for the applicants that case of accidental injury has been converted to that of attempt to culpable homicide; taking into consideration the fact that even the applicant no. 2 sustained injuries in the accident, besides the injured person; there being no criminal history of the applicants and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicants have made out a case for bail. The bail application is **allowed**.

8. Let the applicants- **Satish and Babbu,** who are involved in aforementioned case crime be released on bail on their furnishing personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to verification of sureties, with the condition that they shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

9. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

10. It is made clear that observations made in granting bail to the applicants shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

October 24, 2026
Shalini

Digitally signed by :-
SHALINI JAISWAL
High Court of Judicature at Allahabad