2026:AHC:226713

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38061 of 2026

Vijayveer Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Adarsh Srivastava, Reena Pal
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Supplementary affidavit filed by the applicant is taken on record.

2. Heard Ms. Reena Pal, learned counsel for the applicant and Sri Imran Khan, learned AGA for the State.

3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 251 of 2025, under Sections 140(1), 103(1), 238 BNS, Police Station Kakod, District Bulandshahr during pendency of the trial.

4. Learned counsel for the applicant submits, it is a case of circumstantial evidence and as per allegation applicant along with co-accused had taken the deceased from his home and thereafter his dead body was found in a canal.

5. She next submits, actually deceased though went along with applicant and co-accused but thereafter they separated and he went away and after that what happened to him applicant is not aware.

6. She next submits, even the fact that deceased left the company of applicant and other accused is evident from a CCTV footage details of which have been annexed at page-45 of the paper-book.

7. She further submits, even post mortem report suggests that deceased died due to drowning and therefore possibility of accidental/suicidal death at this stage cannot be ruled out.

8. She further submits, even however, it is a case of circumstantial evidence

but prosecution could not bring any strong motive against applicant.

9. She next submits, however, apart from the present case applicant is having criminal history of two other cases but both the cases were of minor nature. She further submits, in the present matter applicant is in jail since 06.08.2025 i.e. for last more than a year.

10. Per contra, learned AGA opposed the prayer for bail but could not dispute the argument on facts advanced by learned counsel for the applicant.

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

12. However, applicant is named in the FIR but it is a case of circumstantial evidence.

13. Further, however, from the CCTV footage and statement of informant it reflects, applicant and co-accused had taken the deceased and thereafter his dead body was found in a canal but from the CCTV footage it also reflects, deceased left the company of applicant and other accused and thereafter his dead body was found, therefore, it cannot be said that there is evidence of last seen against applicant.

14. Further, even from the post mortem report it reflects, deceased died due to drowning and considering this fact, this Court finds merit in the argument advanced by learned counsel for applicant that possibility cannot be ruled out that either deceased accidentally died or committed suicide.

15. Further, however, apart from the present case applicant is having criminal history of two other cases but his criminal history has been explained in the instant bail application and both the cases were of minor nature.

16. Further, in the present matter applicant is in jail since 06.08.2025 i.e. for last more than a year.

17. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

18. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

19. Let the applicant - Vijayveer Singh be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

20. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

21. 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.

November 2, 2026
AK Pandey

(Sameer Jain,J.)

Digitally signed by :-
ANUPAM KUMAR PANDEY
High Court of Judicature at Allahabad