2026:AHC:226872

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38799 of 2026

Rehbar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Shahnawaz Akhtar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 82

HON'BLE JAI PRAKASH TIWARI, J.

Heard learned counsel for the applicant, learned AGA for the State and perused the record.

The present bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 174/2026 under Sections- 85, 115(2), 351(2), 124(1), 118(1) BNS and 3/4 D.P. Act, Police Station- Kotwali, District- Budaun, during pendency of the trial.

Learned counsel for the applicant submits that the incident took place on 12.07.2026 and the FIR has been lodged on 15.07.2026 with the delay of three days. It is further submitted that there is contradictions in the statement of the first informant recorded under Section 180 BNSS and the version of FIR. The injuries are simple in nature. It is also submitted that as per the opinion of the doctor the use of acid is suspicious. The applicant is in jail since 16.07.2026 and having no criminal history. In case she is enlarged on bail, she will not misuse the said liberty.

Learned AGA for the State has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

Having heard counsel for the parties and having perused the record, this Court *prima facie* finds that the there is some contradictions in the statement of the first informant and the version of FIR. The applicant has no criminal antecedents and he has presently remained confined for last

about three months.

Considering the facts and circumstances of the case discussed above, without expressing any opinion on merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

Let the applicant- **Rehbar** 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.

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.

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.

(Jai Prakash Tiwari,J.)

November 2, 2026
S.K.

Digitally signed by :-
SWEETY KANOJIA
High Court of Judicature at Allahabad