HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38341 of 2026

Amar Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Narayan Singh(Kushwaha)
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Narayan Singh Kushwaha, learned counsel for the applicant and Sri Abhishek Mishra, learned A.G.A. for the State and also perused the material placed on record.

3. Applicant seeks bail in **Case Crime No.** 111 of 2026, **under Sections** 115(2), 352, 351(3), 118(1), 109(1) of BNS, **Police Station** - Kotwali Nagar, **District** - Etah, during the pendency of trial.

4. Learned counsel for the applicant contends that the applicant has been falsely implicated in the present case. It is submitted that there is an inordinate delay of more than one day in lodging the FIR, for which no plausible explanation has been given by the prosecution. Furthermore, the FIR is conspicuously silent regarding the exact time of the alleged incident. It is further contended that the dispute arose out of sudden provocation following a spontaneous brawl between the parties over the parking of a vehicle, reflecting an absence of premeditation. It is also submitted that the injuries sustained by the victim are not dangerous to life. The applicant has no prior criminal history and has been in judicial custody since 01.09.2026.

5. Considering the facts and circumstances of the case, the submissions advanced by the learned counsel for the parties, the nature of the offence, and the severity of the punishment, as well as keeping in view the unexplained delay of over a day in lodging the FIR, the omission of the time of occurrence therein, the submission that the incident occurred on the spur

of the moment due to sudden provocation over a parking dispute, and the fact that the injuries are not life-threatening, coupled with the applicant's clean antecedents with no prior criminal history and the period of incarceration already undergone, this Court *prima facie* finds it to be a fit case for granting bail.

6. Accordingly, the bail application is **allowed**. Let the applicant- **Amar Singh,** be released on bail on furnishing a personal bond and two sureties to the satisfaction of the court concerned, subject to verification of sureties, with the conditions that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

7. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

October 28, 2026
Siddhant

(Krishan Pahal,J.)

Digitally signed by :-
SIDDHANT SAHU
High Court of Judicature at Allahabad