HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38727 of 2026

Deepak Sharma

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Raj Kumar Gautam, Vimlesh Gautam
Counsel for Opposite Party(s) : G.A., Ram Autar Verma, Yogesh Kumar Verma

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Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Raj Kumar Gautam, learned counsel for the applicant, Sri Yogesh Kumar Verma, learned counsel for the informant, Sri Deepak Kumar Singh, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.206 of 2026, Under Sections 191(2), 191(3), 190, 109(1), 115(2), 352, 351(3), 131, 76 B.N.S., Police Station Kotwali Mursan, District Hathras, during the pendency of trial.

4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. He has nothing to do with the said offence. The applicant has been assigned the role of having fired at the injured person, but no gunshot injury was sustained by the injured person. As such, it is a clear-cut case of false implication. The criminal history attributed to the applicant stands explained. He has been in jail since 30.08.2026 and undertakes to cooperate with the trial and not to misuse the liberty of bail.

5. Learned counsel for the informant and learned A.G.A. have vehemently opposed the bail application on the ground that the applicant is a previous convict. Although he is on bail in the said case, he is not entitled to bail, as he fired at the injured person with the intention of committing his murder.

6. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, particularly the fact that there is no gunshot injury sustained by the injured, and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

7. Let the applicant- **Deepak Sharma**, be released on bail in the aforementioned case crime 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.

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

(Krishan Pahal,J.)

November 2, 2026
(Ravi Kant)

Digitally signed by :-
RAVI KANT
High Court of Judicature at Allahabad