2026:AHC:227832

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38789 of 2026

Dayashankar Yadav @ Tunnu Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Devottam Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed today is taken on record.

2. Heard Sri Devottam Pandey, learned counsel for the applicant, Sri Shubham Kushwaha, Advocate holding brief of Sri Vinod Kumar Singh, learned counsel for the informant, Sri Anit Kumar Shukla, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.301 on of 2026, under Sections 109(1), 191(2), 3(5), 352 B.N.S., 2023, Police Station- Bairia, District- Ballia, 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. The main role of causing gunshot injuries to the injured person has been assigned to Arun Yadav and Ramashanker Yadav. The applicant has not been assigned any role of firing. As such, his case stands distinguished. The criminal history attributed to the applicant stands explained. He has been in jail since 03.10.2026 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 but the submissions raised by the learned counsel for the applicant could not be disputed.

6. Considering the facts and circumstances of the case, the submissions advanced by learned counsel for the parties, and the evidence on record, particularly the fact that the role of causing gunshot injuries to the injured person has been assigned to co-accused Arun Yadav and Ramashanker Yadav, and without expressing any opinion on the merits of the case, prima facie, this Court is of the view that the applicant has made out a case for bail. Accordingly, the bail application is **allowed**.

7. Let the applicant- **Dayashankar Yadav @ Tunnu Yadav**, 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