HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38961 of 2026

Ritik

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Mohammad Danish
Counsel for Opposite Party(s)	:	G.A., Nitesh Kumar Pandey, Puneet Kumar Shukla

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Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Mohammad Danish, learned counsel for the applicant, Sri Puneet Kumar Shukla, learned counsel for the informant as well as Sri D.K. Singh, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No. 434 of 2026, under Sections 109(1), 115(2), 333, 352, 351(3) BNS, Police Station Bilari, District Moradabad, 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. There are general and omnibus allegations against all the accused persons. No overt act has been assigned to any accused person. There is a cross-version to the instant case, as the FIR No.435 of 2026 was instituted by the applicant the same day. At this point of time, the aggressor cannot be ascertained, although, no person person sustained injury from the side of the applicant.

5. Learned counsel for the applicant has further argued that there is no criminal history of the applicant. The applicant is languishing in jail since 13.9.2026 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

6. Learned A.G.A. and learned counsel for the informant have vehemently opposed the bail application.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the fact that there are general and omnibus allegations against all the accused persons including the applicant and there being a cross-version to the instant case 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**.

8. Let the applicant- **Ritik,** who is involved in aforementioned case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to verification of sureties, with the condition that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

9. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

10. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

November 2, 2026
Shalini

Digitally signed by :-
SHALINI JAISWAL
High Court of Judicature at Allahabad