2026:AHC:227583

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38881 of 2026

Arju @ Ajruddin And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Amit Singh
Counsel for Opposite Party(s)	:	G.A., Gagan Pratap Singh, Rohit Kumar Kushwaha

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Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicants, Sri V.P. Tripathi, learned AGA for the State-opposite party, and Sri Gagan Pratap Singh, learned counsel for the informant. Perused the material available on record.

2. The present bail application has been filed with the prayer to enlarge the applicants on bail in Case Crime No. 328 of 2026, under Sections 191(2), 191(3), 190, 115(2), 131, 352, 126(2), 110 and 105 of B.N.S., Police Station-Kosikalan, District- Mathura, during the pendency of the trial.

3. Counsel for the applicants submits that the applicants have been falsely implicated in the present case. As per the allegations contained in the first information report, the applicants along with three accused are alleged to have assaulted the informant, his father and three others. Father of the informant, subsequently succumbed to his injuries. As per the postmortem report, a single injury was found on the head region. In the opinion of the doctor, cause of death is shock and haemorrhage due to antemortem injury. A vague and general role has been assigned to the applicants. The applicants have not been nominated as the principal offenders who caused injury on the head of the deceased. It is next contended that the co-accused Juhurddin has been granted bail by this Court vide order dated 22.9.2026 passed in Criminal Misc. Bail Application No.33693 of 2026. The applicants are in jail since 30.05.2026 having no criminal antecedents and in case they are enlarged on bail, they will not misuse the said liberty.

4. Learned AGA and counsel for the informant have opposed the prayer for

bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having heard counsel for the parties and having perused the record, this Court prima facie finds that a vague and general role has been assigned to the applicants. The co-accused Juhurddin has been granted bail by this Court. Further, the applicants have no criminal antecedents and have remained confined for more than five months and after submission of charge sheet there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicants, if enlarged on bail, would either tamper with the evidence or delay the trial or intimidate the witness, without commenting on merits of the case, I am of the opinion that the applicants are entitled to be enlarged on bail.

6. Let the applicants- Ajru @ Ajruddin and Aamir, involved in the aforesaid case crime, be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that they:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence;

(iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

(Vivek Varma,J.)

November 2, 2026
SKT/-

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