2026:AHC:227607

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 42940 of 2025

Anil

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Mohd Nasir, Sandeep Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed today by the learned counsel for the applicant is taken on record.

2. Heard Mohd Nasir, learned counsel for the applicant and Sri Anit Kumar Shukla, learned A.G.A. for the State and also perused the material placed on record.

3. Applicant seeks bail in **Case Crime No.** 108 of 2010, **under Sections** 392, 411 of IPC, **Police Station** - Bhopa, **District** - Muzaffarnagar, 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 the applicant was previously granted the benefit of bail, but due to an inadvertent omission, he could not appear before the court concerned on 19.06.2025, following which a non-bailable warrant was issued against him. The applicant subsequently surrendered before the court concerned on 03.02.2025 and has been in judicial custody since then. Furthermore, the criminal history assigned to the applicant stands duly explained in the affidavit.

5. Considering the facts and circumstances of the case, the submissions advanced by the learned counsel for the parties, the nature of the offence, the severity of the punishment, and also keeping in view the fact that the applicant had previously been enlarged on bail, that his subsequent absence was inadvertent rather than deliberate, leading to his voluntary surrender, coupled with the explanation of his criminal history and the period of

incarceration already undergone, this Court *prima facie* finds it a fit case to release the applicant on bail.

6. Accordingly, the bail application is **allowed**. Let the applicant- **Anil,** 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.

November 2, 2026
Siddhant

(Krishan Pahal,J.)

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