2026:AHC:231141

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 39684 of 2026

Veerpal

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Indra Deo Mishra, Praveen Kumar Shukla, Premshankar Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Sri A. K. Sigh, Advocate submitted that he has filed his power on behalf of the informant yesterday in the office of this Court, therefore his name could not be shown in the cause list.

2. Heard Sri Indra Deo Mishra, learned counsel for the applicant; Sri A. K. Singh, learned counsel for the informant and Sri Vijay Kumar, learned AGA for the State-respondent.

3. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 187 of 2026, under Sections 103(1), 61(2), 238 (1) BNS, Police Station Adampur, District Amroha, during pendency of the trial in the court below.

4. Learned counsel for the applicant submitted that it is a case of circumstantial evidence and applicant was not named in the FIR but during investigation on the basis of statements of two witnesses Satendra and Mohar he has also been made accused in the present matter on the basis of last seen evidence.

5. He further submitted that the statements of above witnesses, prima facie, appear to be doubtful as they prima facie appears to be chance witnesses.

6. He further submitted that apart from the evidence of last seen and confessional statement of the applicant recorded by the Investigating Officer, there is no other evidence against the applicant on record.

7. He further submitted that in absence of any corroborative evidence merely on the basis of above evidence, prima facie, it cannot be said that applicant involved in commission of the instant crime.

8. He further submitted that applicant is having no previous criminal history and in the present matter he is in jail since 14.9.2026 and merely on the basis of above evidence charge sheet has been filed.

9. Per contra, learned AGA as well as learned counsel for the informant opposed the prayer for bail but could not dispute the arguments on facts advanced by learned counsel for the applicant.

10. I have heard learned counsel for the parties and perused the record of the case.

11. However in the present matter applicant is in jail only since September, 2026 but it is a case of circumstantial evidence and applicant was not named in the FIR and it reflects, during investigation very casually he has been made accused on the basis of evidence of last seen disclosed by witnesses Satendra and Mohar and considering their statements, prima facie, their statements appears to be doubtful as story narrated by them prima facie does not appear to be convincing.

12. Further, this Court also finds merit in the argument advanced by learned counsel for the applicant that merely on the basis of above evidence of last seen and confessional statement of the applicant recorded by the Investigating Officer, prima facie, it cannot be said that applicant involved in commission of the instant crime.

13. Further it reflects, merely on the basis of above evidence, charge sheet has been filed and applicant is having no previous criminal history to his credit.

14. Therefore, considering the facts and circumstances of the case, discussed above, in my view, applicant is entitled to be released on bail.

15. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

16. Let the applicant- **Veerpal**, be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the

satisfaction of the court concerned with the following conditions:-

(i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

17. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

18. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

November 5, 2026
Ankita

(Sameer Jain,J.)

Digitally signed by :-
ANKITA SRIVASTAVA
High Court of Judicature at Allahabad