

# Vikas And Another vs State Of U.P. on 1 April, 2025

**Author: Deepak Verma**

**Bench: Deepak Verma**

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:44310

Court No. - 67

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 3805 of 2025

Applicant :- Vikas And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Lalji Yadav, Yashpal Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

1. Heard Sri Yashpal Yadav, learned counsel for the applicants, learned A.G.A. for the State and perused the record.

2. The instant bail application has been filed with a prayer to release the applicants on bail in Case Crime No. 339 of 2024, registered under Sections 309(5), 324(5) of BNS, Police Station Bilhour, District Kanpur Nagar, during pendency of the trial.

3. Learned counsel for the applicants submitted that the applicants are innocent and have been falsely implicated in the present case due to ulterior motive. Applicants are named in the FIR. Allegation in FIR is that applicants damaged the informant's vehicle with intention to rob the informant. Allegation alleged in FIR is totally false and baseless and not supported by any evidence.

Applicant No.1 having one case of criminal history, the same is explained in supplementary affidavit and applicant no.2, having no previous criminal history. Instant FIR has been lodged with malicious intention. The applicants are languishing in jail since 04.11.2024. In case, the applicants are released on bail, they will not misuse the liberty of bail and co-operate in trial.

4. Learned A.G.A. has opposed the bail prayer of the applicants.

5. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of accused and without expressing any opinion on the merits of the case and the law laid down by the Apex Court in Satendra Kumar Antil Vs. C.B.I. & Another, S.L.P.(Crl.) No. 5191 of 2021, the Court is of the view that the applicants have made out a case for bail. The bail application is allowed.

6. Let the applicants, namely, Vikas and Shiva Kumar, who are involved in the aforesaid case crime, be released on bail on their furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

i. The applicants shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, during the investigation or trial.

ii. The applicants shall cooperate in the trial sincerely without seeking any adjournment.

iii. The applicants shall not indulge in any criminal activity or commission of any crime after being released on bail.

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

Order Date :- 1.4.2025 Nitin Verma