2026:AHC:98784

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 4987 of 2026

Sarvajeet @ Golu Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ashok Malaviya, Bhanu Pratap Singh
Counsel for Opposite Party(s)	:	Brijesh Kumar Chaturvedi, G.A., Manoj Kumar Mishra, Om Prakash Yadav, Sandeep Kumar Chaturvedi

Court No. - 67

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Bhanu Pratap Singh, learned counsel for the applicant, Sri Sandeep Kumar Chaturvedi, learned counsel for the first informant, Sri Ramkumar Verma, 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 applicant on bail in Case Crime No. 314 of 2025, under Sections- 103(1), 61(2) of B.N.S., Police Station- Ubhaon, District- Ballia, during the pendency of the trial.

3. Contention of learned counsel for the applicant is that the applicant is an innocent person and he has been falsely implicated in the present case. He further submitted that the applicant was not named in the FIR, wherein the allegation has been made against four persons for causing death of Rahul Yadav @ Ayush by firearm and firearm was also recovered on pointing out of the named accused person. However, the name of the applicant surfaced in the statement of father of the deceased as well as second statement of the first informant regarding his involvement in the aforesaid conspiracy. Though, there is no incriminating material against the applicant. It is further submitted that co-accused Rahul Verma, having similar role to that of the applicant, has already been released on bail by this Court in Criminal Misc. Bail Application Nos. 11894 of 2026 vide order dated 23.04.2026. Therefore, the applicant is also entitled to be released on bail on the ground of parity. Applicant has explained the

criminal history of two cases in the accompanying affidavit. The applicant is in jail since 18.12.2025. He further submitted that charge sheet has been filed by the police, therefore, there is no requirement for custodial interrogation. In case the applicant is released on bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Per contra, learned counsel for the first informant as well as learned A.G.A. for the State have vehemently opposed the prayer for bail but could not dispute the aforesaid facts.

5. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and taking into account the fact that similarly situated co-accused has been enlarged on bail and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of **Kapil Wadhawan vs Central Bureau of Investigation** reported in **2025 SCC OnLine SC 3038** as well as guideline of this Court in the case of **Maya Tiwari Vs. State of U.P., 2024 SCC Online All 6765** regarding grant of bail and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail. Accordingly, the present application is **allowed**.

6. Let the applicant-**Sarvajeet @ Golu Singh,** involved in the aforementioned 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, with the following conditions:-

i. The applicant shall not directly or indirectly make any 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 to any police officer or tamper with the evidence.

ii. The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.

iii. The applicant shall not indulge in any criminal activity or commission

of any crime after being released on bail.

iv. The applicant shall attend in accordance with the conditions of the bond executed by him.

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

8. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

9. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

10. It is made clear that the applicant shall be released on the basis of computer generated copy of this order, downloaded from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within 15 days.

11. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

12. Office is directed to send a copy of this order to the applicant through **Jail Superintendent, Gorakhpur** via e-mail or e-prison portal within 24 hours in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021 decided on 31.01.2023** reported in **(2024) 10 SCC 685.**

(Arun Kumar Singh Deshwal,J.)

April 30, 2026
SA

Digitally signed by :-
SALMAN ALI
High Court of Judicature at Allahabad