



HIGH COURT OF JUDICATURE AT ALLAHABAD
MATTERS UNDER ARTICLE 227 No. - 15205 of 2025

Pappu Met @ Pappu

.....Petitioner(s)

Versus

State of U.P. & Anr.

.....Respondent(s)

Counsel for Petitioner(s)	: Arun Pratap Singh, Kamaluddin
Counsel for Respondent(s)	: G.A.

Court No. - 88

HON'BLE VINOD DIWAKAR, J.

1. Heard learned counsel for the petitioner and learned A.G.A. for the State.
2. The petitioner has invoked Article 227 of the Constitution of India to impugne the order dated 19.11.2025 passed by the learned Additional Sessions Judge, Room No.3, Bareilly, in an application for modification of the order dated 18.11.2025, whereby the petitioner was granted bail on his executing a personal bond of Rs.1 lakhs and two sureties each in the like amount to the satisfaction of the court concerned.
3. In brief, the facts are that an FIR No. 340 of 2024, under Sections 331(4), 317(5), and 305 of the Bharatiya Nyaya Sanhita, 2023, was lodged against unknown persons, alleging theft of two buffaloes and one baby buffalo of the informant, and during the investigation, the buffaloes were recovered from the possession of co-accused Hafeej Ahmad, Toufil Ahmad, and Mohd. Kasif. The petitioner's name surfaced during investigation, he was arrested and sent to jail, and accordingly the petitioner was also arrayed as an accused in the charge-sheet. After filing of the charge-sheet, the petitioner preferred the regular bail and was granted bail vide impugned order.
4. Learned counsel for the petitioner submits that the co-accused, including the main accused(s), from whose possession the case property—two buffalo and one baby buffalo—was recovered, were enlarged on bail by the learned trial court on executing a personal bond of Rs. 25,000/- along with two sureties each in the like amount to the satisfaction of the court concerned. However, the petitioner was granted bail by the learned Additional District and Sessions Judge on furnishing a personal bond of Rs. 1,00,000/- and two sureties each in the like amount, to the satisfaction of the court concerned. It is contended that the petitioner is a person of extremely limited means and is financially incapable of arranging sureties of such a substantial amount,

therefore, the impugned bail order may be modified accordingly, enabling the petitioner to come out of jail.

5. Learned counsel for the petitioner has placed reliance upon a 3-Judge Bench order dated 15.3.2024 of the Hon'ble Supreme Court, passed in SLP (Crl) No. 3314 of 2024, whereby the quantum of surety fixed by the trial judge in the amount of Rs. 10 lakhs stood reduced to Rs. 25,000/-. In the above-referred case, the High Court had directed the trial court to release the convict on '*heavy surety*'.

6. Learned counsel has further relied upon a judgment passed by this Court in *Smt. Bachchi Devi v. State of U.P. & Anr.*, 2025 SCC OnLine All 5286, whereby certain directions were given to the learned Judges of the District Court(s) with respect to grant of bail and surety(s) directed to be furnished by the accused, and stated that the trial court's order is in blatant disregard to the several orders passed by the Hon'ble Supreme Court and this Court in *Bachchi Devi (supra)*, and further argued that the learned Judge has committed contempt of its own Court.

7. It is an admitted position that the co-accused Mohd. Kasif was released on bail vide order dated 10.9.2024 with the direction to furnish a personal bond of Rs. 25,000/- along with two sureties each in the like amount to the satisfaction of the Court, whereas the petitioner in the present case was directed to furnish a personal bond of Rs. 1,00,000/- along with two sureties each in the like amount.

8. It's a matter of record that that the Registrar General of this Court, vide DO Letter No. 14293/Admin.G-II dated 4.11.2025, forwarded a copy of the order/judgment dated 12.8.2025 passed in Criminal Misc. Application u/s 528 BNSS No. 6400 of 2024, titled *Smt. Bachchi Devi v. State of U.P. & Anr.* (*supra*), to all the District Judges to ensure strict compliance in letter and spirit. All the District Judges were further requested to send compliance report, as directed by this Court in paragraph 38 (10) and 38 (XI), to the High Court upon receipt of the DO letter through e-mail.

9. On perusal of the impugned order and the order dated 10.9.2024, referred herein above, it is *prima facie* observed that the learned Additional District and Sessions Judge has either not comprehended the directions properly, or has misunderstood the same, or is otherwise not willing to adhere to the directions, for reasons best known to them. This is not a stand-alone case; this Court regularly receives applications seeking modification of bail orders passed by the district courts in clear defiance of *Bachchi Devi (supra)*, and even prior to *Bachchi Devi (supra)*, in disregard of the several

orders/judgments of the Hon'ble Supreme Court relied upon therein. The judgments of the Supreme Court referred to in *Bachchi Devi* (supra) have not been reproduced herein for the sake of brevity

10. Based on the aforesaid deliberations, an explanation is sought from the learned Judges, through the District Judge, Bareilly, who have passed the impugned order and the order dated 10.9.2024 referred to hereinabove, as to why the guidelines have not been followed by them, and if they have been followed, the same may be duly explained. A report is also called from the learned District Judge, Bareilly, regarding all such orders wherein the learned Judges of the District Court, Bareilly, have directed the release of accused(s) on two sureties post 12.8.2025. The report shall further indicate the date on which a compliance report was communicated to the High Court in compliance with DO Letter No. 14293/Admin.G-II dated 4.11.2025, referred to hereinabove.

11. Assistance of the High Court, through the Registrar General, is also required to ascertain whether the learned Judges have committed '*contempt of this Court*' or '*of its own court*' by not following the directions in *Bachchi Devi* (supra), or whether it falls within their discretion to interpret the judgments of the Constitutional Courts according to their personal understanding of law based on old, redundant practices having no legal sanction. Further, in case a wilful, negligent, or callous approach is *ex facie* observed, indicating that the learned Judges are intentionally not following the judgment(s) for reasons best known to them, what remedial action is proposed to be taken by this Court under its supervisory jurisdiction on judicial side.

11.1 This Court is conscious that it is indeed distressing—even inconsistent with dignity—for this Court to so much as whisper about initiating contempt proceedings against its own judicial officers, who enjoy a distinct and elevated status in society and are entrusted with the solemn jurisdiction to pronounce even capital punishment, where the law so requires and the accused is found guilty. However, the persistent and repeated defiance of the orders passed by Constitutional Court(s) has compelled this Court to consider appropriate measures to address such continued contumacy. Judicial discipline is not a matter of choice; it is a constitutional imperative that sustains the hierarchy of courts and ensures coherence and certainty in the administration of justice.

12. Judicial morality demands that every Judge, irrespective of rank, faithfully follows the law declared by the Constitutional Courts. The conduct of Judges does not remain confined to the four walls of the courtroom; it

shapes public perception of the justice-delivery system and, in turn, moulds the moral fabric of society. When judicial orders are disregarded, not only is the rule of law undermined, but the faith of the people—on which the very foundations of a healthy democracy rest—stands shaken.

13. It is, therefore, necessary to explore ways and means to address such lapses, so that public confidence in the institution of the judiciary remains unwavering, and the discipline essential to the judicial hierarchy is maintained in both letter and spirit.

14. So far as the prayer made in present petition is concerned, the impugned order dated 8.11.2025 is modified to the extent that the petitioner be released on his executing personal bond of Rs.5000/- and one surety in the like amount to the satisfaction of the court, or alternatively in view of guidelines issued by *Supreme Court In Re: Policy Strategy for Grant of Bail [(2023) SCC OnLine SC 483]*.

15. Put up on **18.12.2025** as fresh at **12:30 pm.**, along with the compliance report to be submitted by the learned District Judge Bareilly. The compliance be made in letter and spirit, effectively.

16. The Registrar (Compliance) is directed forthwith to transmit a certified copy of this order to the learned District Judge, Bareilly for immediate compliance.

December 11, 2025
A. Tripathi

(Vinod Diwakar,J.)