



2025:AHC:175447

**HIGH COURT OF JUDICATURE AT ALLAHABAD**  
**CRIMINAL MISC. BAIL APPLICATION No. - 26236 of 2025**

Jitendra Kumar Chauhan

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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|-------------------------------|---|----------------------------|
| Counsel for Applicant(s)      | : | Dhirendra Kumar Srivastava |
| Counsel for Opposite Party(s) | : | G.A.                       |

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**Court No. - 67**

**HON'BLE KRISHAN PAHAL, J.**

1. List has been revised. Supplementary affidavit filed by learned counsel for the applicant is taken on record.
2. Heard Sri Dhirendra Kumar Srivastava, learned counsel for the applicant, Sri Deepak Kumar Singh, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 230/2025, under Section 8/20 of The Narcotic Drugs And Psychotropic Substances Act, 1985, Police Station- Ali Nagar, District- Chandauli, during the pendency of trial.
4. As per the allegations of the FIR, the applicant is said to have been apprehended by the police on 17.06.2025 and 15 Kg. Ganja is said to have been recovered from his possession.
5. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case with a view to cause unnecessary harassment and to victimize him. There is no compliance of mandatory provision of Section 52-A of the N.D.P.S. Act. The said contraband is below from the commercial quantity. There is no chemical analyst's report to indicate whether the said contraband was Ganja. The criminal history of three cases assigned to the applicant has been explained. The applicant is languishing in jail since 18.06.2025. The applicant is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

6. Learned A.G.A. has vehemently opposed the bail application.

7. The Supreme Court in ***Prabhakar Tewari Vs. State of U.P. and another, 2020 (11) SCC 648*** has observed that pendency of several criminal cases against an accused itself cannot be a basis for refusal of bail, if otherwise his case of bail is made out.

8. Upon hearing learned counsel for the parties, perusal of record and considering the complicity of accused, severity of punishment as well as totality of facts and circumstances, without commenting on the merits of the case, *prima facie*, I find it a fit case for bail.

9. Let the applicant- **Jitendra Kumar Chauhan**, who is involved in aforementioned case 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 subject to following conditions. Further, before issuing the release order, the sureties be verified.

(i) The applicant shall not tamper with evidence during trial.

(ii) The applicant shall not pressurize/intimidate the prosecution witnesses.

(iii) The applicant shall appear before the trial court on the date fixed.

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

11. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

**(Krishan Pahal,J.)**

**September 26, 2025**

Sharad/-