



2025:JHC-1 K03:29117

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 12662 of 2025

Suraj Gupta

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Deptt. Lko.

.....Opposite
Party(s)

Counsel for Applicant(s) : Mangal Sen Yadav, Deepansi, Sonal Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 15

HON'BLE KARUNESH SINGH PAWAR, J.

Supplementary affidavit filed by learned counsel for the applicant is taken on record.

Heard learned counsel for the applicant, learned AGA for the State and perused the record.

Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. It is argued that the alleged recovery of copper wires and copper pipes from the possession of the applicant is fabricated and false. It is further contended that there is no independent witness to support or corroborate the alleged recovery. The applicant is in judicial custody since 04.08.2025. In paragraph 2 of the supplementary affidavit, the applicant has duly explained his criminal antecedents relating to ten cases.

The co-accused Gaurav Gupta @ Nauna @ Bauna has already been enlarged on bail by this Court. The bail order is on record as Annexure No. SA-5 to the supplementary affidavit. Applicant seeks parity with the bail order of the co-accused.

It is further submitted that there is no possibility of the applicant of fleeing away after being released from jail or tampering with the witnesses. In case the applicant is enlarged on bail, he shall not misuse the liberty of bail.

Learned A.G.A. opposed the prayer for bail but could not dispute the

aforesaid facts as argued by the learned counsel for the applicant.

In view of the submissions advanced and considering the overall facts and circumstances of the case, including the nature of allegations, the fact that the alleged recovery is not supported by any independent witness, and the applicant's incarceration since 04.08.2025, as well as the explanation furnished with respect to his criminal antecedents in paragraph 2 of the supplementary affidavit, including the bail order of co-accused, I am of the considered opinion that the applicant has made out a case for grant of bail on the ground of parity.

Accordingly, the bail application is **allowed** on the ground of parity.

Let the applicant- **Suraj Gupta**, involved in Case Crime No. 536/2025, 303(2), 317(2) of Bhartiya Nyaya Sanhita, 2023, (In I.P.C. 379, 411 respectively), Police Station - Kotwali City, District - Hardoi, be released on bail in the aforementioned case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to following conditions:-

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial Court.

Any other condition(s) which the trial court/concerned court may deem fit and proper, in the circumstances of the case, may also be imposed.

It is clarified that the observations made in this order are confined to the present bail application and shall have no bearing on the merits of the trial.

December 16, 2025

Vinay/-

(Karunesh Singh Pawar,J.)