



2026:AHC:186552

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 16617 of 2026

Yaseen

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Aman Kumar, Sr. Advocate
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

(Sr. No.59 out of 185)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Saghir Ahmad, learned Senior Counsel assisted by Sri Aman Kumar, learned counsel for the applicant, Sri Arun Kumar Mishra, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.185 of 2025, under Sections 18, 15(c), 25 and 19 N.D.P.S. Act, Police Station Rahra, District Amroha, during the pendency of trial.
4. Learned Senior Counsel for the applicant has argued that it is true that, as per the recovery memo, the applicant alongwith co-accused Nazir @ Abdullah was arrested from the spot and from their conscious possession, the recovery of 12.75 quintals of poppy straw is stated to have been made. The said allegations are *per se* false. The named accused person, Amarpal Singh, who is stated to be the owner of the said premises, was enlarged on bail by the Co-ordinate Bench of this Court vide order dated 10.08.2026 passed in Criminal Misc. Bail Application No.7871 of 2026 on the sole ground that he had rented out the said premises to the applicant.
5. Learned Senior Counsel for the applicant has further stated that the said rent agreement was forged, which is evident from the signatures borne on the recovery memo as well as the rent agreement by the naked eye. The said averment regarding the forged rent agreement was made in the affidavit accompanying the bail application, i.e., paragraph nos.32 to 36. Another co-

accused, Nazir @ Abdullah, was also arrested on the spot along with the applicant, and he has been enlarged on bail by the Co-ordinate Bench of this Court vide order dated 07.07.2026 passed in Criminal Misc. Bail Application No.17785 of 2026; as such, the applicant is entitled to bail on the ground of parity also. The applicant has no criminal history and is in jail since 17.08.2025. He undertakes to cooperate with the trial and not misuse the liberty of bail.

6. Learned A.G.A. has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

7. This Court had particularly asked the State to furnish the complete details about the said agreement made in the affidavit filed in support of the bail application. The counter affidavit filed by learned A.G.A. does not mention any details about the said rent agreement; rather, it plainly states that there is no need for any comments on the said averments, which tantamount to an admission of the arguments made by learned Senior Counsel.

8. Considering the facts and circumstances of the case, the submissions made by learned counsel for the parties, and the evidence on record, taking into consideration the fact that the rent agreement filed by the co-accused, Amarpal Singh, stands challenged and that he has also been granted bail, and that the similarly placed co-accused person, Nazir @ Abdullah, has been granted bail by the Co-ordinate Bench, and without expressing any opinion on the merits of the case, *prima facie*, the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

9. Let the applicant- **Yaseen**, be released on bail in the aforementioned case crime on furnishing a personal bond and two sureties to the satisfaction of the court concerned, subject to verification of sureties, with the conditions that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

10. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

September 8, 2026
(Ravi Kant)

