



2026:AHC:211323

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 27628 of 2026

Sandeep Kumar Jaiswal

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Arvind Prabodh Dubey, Om Prakash
Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Learned A.G.A. has informed that notice to the informant has been served on 19.7.2026.
2. Heard Sri Om Prakash, learned counsel for the applicant, Sri Sanjeev Singh, learned Additional Advocate General assisted by Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.163 of 2024, under Sections 137(2), 64, 61(2), 87, 98, 142 of BNS, 2023 and 4/5 of the Protection of Children from Sexual Offences, Act, 2012 and 3(2)(v) SC/ST Act, Police Station- Pannuganj, District- Sonbhadra, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The applicant is languishing in jail since 22.12.2024, as such, he is incarcerated in jail for more than 21 months. As such, the fundamental rights of the applicant enshrined under Article 21 of the Constitution of India stand violated. Even otherwise, the allegations are *per se* false. The trial is moving at a snail's pace as only four witnesses have been examined to date. The applicant has no criminal history to his credit. He undertakes to cooperate with the trial and not misuse the liberty of bail.
5. Learned Additional Advocate General has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

6. This Court had called for the status of trial from the concerned trial court. As per the said status report dated 3.9.2026, four prosecution witnesses have been examined. It is also mentioned in the said report that prosecution has not produced the other witnesses.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the period of incarceration undergone by the applicant and only four witnesses having been examined in trial during the said period, 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***.

8. Let the applicant- **Sandeep Kumar Jaiswal**, 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.

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

(Krishan Pahal,J.)

October 7, 2026

Vikas Verma