2026:AHC-LKO:41257

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. BAIL APPLICATION No. - 4563 of 2026

Vinod Kumar Upadhyay

.....Applicant(s)

Versus

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

.....Opposite Party(s)

Counsel for Applicant(s)	:	Virendra Kumar Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 11

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Sri Virendra Kumar Shukla, learned counsel for the applicant, Ms. Arti Gupta Singh, learned Additional Government Advocate for the State and perused the records.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.456 of 2025, under Sections 61(2), 111(2)(b), 316(5), 351(3), 352 of BNS, registered at Police Station Mohanlalganj, District Lucknow.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 15.11.2025 stating that the informant had purchased a plot of land from H.K. Infravision Pvt. Ltd. on 04.10.2017 but the possession of the land was not delivered to the informant.

4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent and he has been falsely implicated in the present case. The applicant's involvement in 63 other criminal cases has been disclosed in para 14 of the affidavit filed in support of the bail application. The applicant has been ordered to be released on bail in 17 criminal cases. A copy of the sale deed has been annexed with the affidavit wherein it is recorded that the purchaser has been handed over the possession of the land in question.

5. The learned Additional Government Advocate appearing on behalf of the State has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the sale deed in question was executed on 04.10.2017 and it is recorded therein that the possession of the land has already been delivered to the purchaser; that the F.I.R. has been lodged on 15.11.2025 alleging non-delivery of possession and no civil proceeding for recovery of possession has been instituted and that the applicant has already been granted bail in 14 cases of similar nature and coupled with the fact that applicant is languishing in jail since 25.07.2025 and without making any observation which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail in the aforesaid crime.

7. Accordingly, this bail application stands **allowed**.

8. Let the applicant- **Vinod Kumar Upadhyay** be released on bail in the aforesaid 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, unless his appearance is exempted by the learned trial court.

(Subhash Vidyarthi,J.)

June 16, 2026
-Amit K-

Digitally signed by :-
AMIT KUMAR
High Court of Judicature at Allahabad,
Lucknow Bench