2026:AHC:211372

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 16211 of 2026

Dhiraj

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Bipin, Naresh Kumar Singh, Sitaram Patel

Counsel for Opposite Party(s): G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Bipin Shukla, 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. 525 of 2024, under Sections 137(2), 109, 140(1) of Bhartiya Nyay Sanhita (BNS), 2023, P.S. Phase-1 Noida, District Gautam Budh Nagar, during the pendency of trial.

4. This is second bail application on behalf of the applicant. The first bail application of the applicant was rejected by this Court vide order dated 22.4.2025 passed in Criminal Misc Bail Application No. 8425 of 2025.

5. Learned counsel for the applicant has submitted that the allegations against the applicant are per-se false. The applicant is in jail since 28.11.2024 and the period of incarceration is more than 22 months and till date only examination in chief of one witness (P.W.-1) has been recorded. The said fact is fortified from the order sheet itself.

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. 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 long incarceration of the applicant and that the examination in chief of P.W.-1 is still pending, 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- Dhiraj, 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 8, 2026
RavindraKSingh

Digitally signed by :-
RAVINDRA KUMAR SINGH
High Court of Judicature at Allahabad