2026:AHC:211342

# HIGH COURT OF JUDICATURE AT ALLAHABAD

## CRIMINAL MISC. BAIL APPLICATION No. - 20960 of 2026

Arbaz Khan

.....Applicant(s)

Versus

State Of Uttar Pradesh

.....Opposite Party(s)

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Counsel for Applicant(s) : Ashish Kumar Srivastava, Virendra Kumar Srivastava

Counsel for Opposite Party(s) G.A.

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**Court No. - 68**

**HON'BLE KRISHAN PAHAL, J.**

1. List has been revised.

2. Heard Sri Virendra Kumar Srivastava, learned counsel for the applicant, Sri Abhishek Mishra, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No. 51 of 2026, under Sections 8/20 of The Narcotic Drugs And Psychotropic Substances Act, 1985, Police Station- Bamrauli Katara, District Agra, 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 with a view to cause unnecessary harassment and to victimize him. A false recovery of 2.062 kilograms of Charas has been foisted on the applicant. The allegations are *per se* false.

5. Learned counsel for the applicant has further argued that there is no compliance of mandatory provision of Section 52A & 57 of the N.D.P.S. Act. The applicant has explained the criminal antecedents. The applicant is languishing in jail since 31.03.2026. The applicant is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

6. Learned A.G.A. has vehemently opposed the bail application.

7. Upon hearing learned counsel for the parties, perusal of record and considering the complicity of accused, severity of punishment as well as totality of facts and circumstances coupled with the fact that there being no compliance of mandatory provision of Section 52A & 57 of the NDPS Act, without commenting on the merits of the case, *prima facie,* I find it a fit case for bail. The bail application is **allowed.**

8. Let the applicant- Arbaz Khan, 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