2026:AHC:211666

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 25279 of 2026

Shahnawaj

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Sunil Kumar Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Sri Sunil Kumar Tiwari, learned counsel for applicant hands up rejoinder affidavit, the same is taken on record.

1A. Heard Sri Tiwari, learned counsel for accused applicant and learned A.G.A. for State.

2. The present bail application has been moved by the applicant accused-**Shahnawaj** to enlarge him on bail in Case Crime No. 0365 of 2026, under Sections 318(4), 338, 336(3), 340(2), 61(2) of BNS, P.S.- Majhola, District- Moradabad, during the pendency of trial.

3. It is the contention of learned counsel for applicant that on 11.04.2026 the FIR has been lodged by GST Officials against one Ravi and anonymous persons pertaining to GST with the allegation that M/s. National Traders has entered into business in the year 2022-23 and claimed as input tax credit of Rs. 4 lakh. It is the contention of learned counsel that the GST number of National Traders has not been renewed after 2022 but despite that the trading was continuing. It is the contention of learned counsel that accused applicant has been named by co-accused Mohd. Faizal, who had transacted a business with M/s. National Traders and Umera Handicraft. When co-accused M/s. Mohd. Faizal was arrested, he disclosed the name of accused applicant that it is the applicant, who provided him fake bills of various companies and M/s. National Traders is one of them. It is the contention of learned counsel that Mohd. Faizal, who has admitted the crime that he has taken forged bills from the

accused applicant as already been granted bail by the co-ordinate Bench of this Court in Criminal Misc. Bail Application No. 24563 of 2026 (Mohd. Faizal Vs. State of U.P.) in order dated 10.09.2026. The complicity of applicant is shown on the basis of statement made by Mohd. Faizal. There is no incriminating material recovered during investigation. The accused applicant has no criminal history. The charge sheet is submitted. The trial is still at the nascent stage. The accused applicant is languishing in jail since 11.06.2026. He seeks enlargement of accused on bail.

4. Learned A.G.A. for State opposed the bail application.

5. This Court has taken into consideration the rival submissions made by learned counsel for the parties and perused the record.

6. Considering that the named of accused applicant is figured out from the statement of co-accused Mohd. Faizal, who has already been granted bail by co-ordinate Bench of this Court and except the statement of co-accused and the disclosure statement of applicant, there is no other incriminating material available on record, the accused/applicant is entitled to be released on bail.

7. Hence, without touching merit of the case, the bail application is **allowed**.

8. The accused/applicant 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 court concerned in view of observation made by the Supreme Court in its dictums of **Girish Gandhi Vs. State of Uttar Pradesh [(2024) 10 SCC 674] and Policy Strategy for grant of bail in re [(2024)10SCC 685].**

9. The accused-applicant shall cooperate in judicial process for fair and speedy disposal.

(Avnish Saxena,J.)

October 8, 2026
Sharad/-

Digitally signed by :-
SHARAD KUMAR SRIVASTAVA
High Court of Judicature at Allahabad