2026:AHC:209800

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35691 of 2026

Priyanshu @ Babu Sonkar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ankit Kapoor
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Sri Ankit Kapoor, learned counsel for the accused-applicant hands up the supplementary affidavit explaining the criminal history. The same is taken on record.

1A. Heard Sri Kapoor, learned counsel for the accused-applicant and learned A.G.A. for the State.

2. The present bail application has been moved by the accused-applicant **Priyanshu @ Babu Sonkar** to enlarge him on bail in Case Crime No. 176 of 2026, under Sections 305(A), 331(4), 317(2) BNS, P.S.- Mandwadhee, District- Varanasi, during the pendency of trial.

3. It is contended by learned counsel for the accused-applicant that the accused-applicant has been falsely implicated during investigation in F.I.R. dated 23.05.2026 lodged by Usha Devi with the allegation against the anonymous persons that there was theft in her house on 22.05.2026, wherein her cash and jewellery has been stolen. Further contended that on 10.06.2026, the accused-applicant and another co-accused have been arrested by the police and there was recovery of adhar card of informant, jewellery and Rs.750/- The arrest and recovery has been made in the absence of independent witness. Further contended that except the confessional statement, there is no incriminating material against the accused-applicant. The applicant has 13 cases criminal history, wherein he is on bail. The charge sheet is submitted. The applicant is in jail since 11.06.2026 and hence, the applicant seeks to be released on bail.

4. Learned A.G.A. for State has opposed the prayer for bail of the applicant, but could not dispute the aforesaid facts.

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

6. Considered that the arrest and recovery has been made in the absence of independent witness.

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 7, 2026
Shivangi

Digitally signed by :-
SHIVANGI YADAV
High Court of Judicature at Allahabad