HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 32201 of 2026

Shyam Alias Shyamu Dixit

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Lavkush Kumar Bhatt
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Rejoinder affidavit filed today is taken on record.

2. Heard Sri Sehroj Khan, Advocate holding brief of Sri Lavkush Kumar Bhatt, learned counsel for the applicant, Sri V.K.S. Parmar, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.50 of 2026, under Section 8/20 of The Narcotic Drugs And Psychotropic Substances Act, 1985, Police Station-Shivnagar Didai, District Siddharth Nagar, during the pendency of trial.

4. Learned counsel for the applicant has argued that the applicant has been falsely implicated in the present case under the duress of another case in which he has been charged with rape. There is a major anomaly in the case, as the sample sent to the FSL weighed 1 kg, whereas the FSL report indicates the sample to have weighed only 190 grams. Although the FSL report identifies the contraband as ganja, the substantial difference in the weight of the sample creates doubt regarding the prosecution story. The criminal history of two cases assigned to the applicant stands explained. The applicant is languishing in jail since 24.06.2026. In case, the applicant is released on bail, he will not misuse the liberty of bail.

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

6. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into

consideration the substantial discrepancy between the alleged weight of the sample sent to the FSL (1 kg) and the weight recorded in the FSL report (190 grams), and 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**.

7. Let the applicant- **Shyam Alias Shyamu Dixit**, 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.

8. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

October 27, 2026
(Ravi Kant)

Digitally signed by :-
RAVI KANT
High Court of Judicature at Allahabad