2026:AHC:208242

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33561 of 2026

Raju

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Kamal Kaushal Upadhyay
Counsel for Opposite Party(s) : Deepak Upadhyay, G.A., Rajjan Kumar

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Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Heard Sri Durvijay Singh, learned advocate, holding the brief, appears for the accused applicant, Sri Deepak Upadhyay, learned counsel for the informant and learned A.G.A. for the State.

2. The present bail application has been moved by the applicant accused-**Raju** to enlarge him on bail in Case Crime No. 184 of 2026, under Sections 318(4), 340(2), 338, 336(3), 351(2) of BNS, P.S.- Kakod, District- Bulandshahr during the pendency of trial.

3. It is the contention of learned counsel for accused applicant that the accused applicant has been made scapegoat in the FIR dated 25.5.2026 lodged by the Kanchhi Singh the purchaser of the property, which got registered by an imposter personifying Manoj Singhal, the original owner of the property. It is further contended that four persons, namely, Parvesh @ Banti Bhati, Goli @ Kuldeep, Bashant and Praveen are the property dealer. It is at the instance of Praveen, the accused applicant became witness to the sale deed. He was not aware of the fact that Manoj Singhal has been impersonated by Manoj Pratap. It is further contended that no money has been credited to the account of accused applicant or he has been given any sort of remuneration for becoming a witness. He is innocent and having no criminal history. The applicant is languishing in jail since 29.6.2026. He seeks enlargement of accused on bail as he is co-operating in the investigation.

4. Learned counsel for the informant and learned A.G.A. have opposed

the bail and submits that the accused applicant is one of the witness, who has identified the imposter and therefore, his bail application should be rejected.

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 accused applicant is only a witness to the execution of the sale deed. His case is different from other co-accused, the accused applicant is entitled to be enlarged 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 6, 2026
Krishna*

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