2026:AHC:212100

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33066 of 2026

Nitish Kushwaha Alias Sagar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Amit Kumar Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Sri Amit Kumar Singh, learned counsel for the applicant has hands up supplementary affidavit explaining criminal history, the same is taken on record.

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

2. The present bail application has been moved by the applicant accused-**Nitish Kushwaha Alias Sagar** to enlarge him on bail in Case Crime No. 77 of 2024, under Sections 420, 467, 468, 471, 120-B of IPC, P.S.-Kaushambi, District- Ghaziabad during the pendency of trial.

3. It is the contention of learned counsel for accused applicant that the informant Ravindra Sharma has lodged the FIR on 15.2.2024 against three accused persons including the accused applicant that he received a call from the accused persons that they got him admission in a medical college on payment of some money. The allegation in the FIR is that Rs.25,000 in cash credited in the account of accused applicant whereas the remaining amount has been paid to Arun Rajpoot. It is further contended that it was only at the behest of co-accused Arun Rajpoot that account of accused applicant is credited with Rs.25,000 from the account of informant. The accused applicant has no complicity. He has not assured any admission in medical college. The main role is attributed on Arun Rajpoot. The applicant has three cases criminal history, wherein, in one case, he is in jail and in two cases, charge sheet has not been

submitted so far and he has not been arrested. The charge sheet has been submitted. The applicant is languishing in jail since 29.4.2026. He is ready to pay of Rs.25,000, which is credited in his account. He seeks enlargement of accused on bail.

4. Learned A.G.A. has 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 money has been paid for getting admission in medical college, 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 9, 2026
Krishna*

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