2026:AHC:208183

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 34062 of 2026

Saddam

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Mohd. Naushad
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

(Sr. No.124 of 278)

HON'BLE KRISHAN PAHAL, J.

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

2. Heard Sri Mohd. Naushad, learned counsel for the applicant, Sri R.P. Patel, learned State Law Officer for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.172 of 2026, under Section 8/21/29 of The Narcotic Drugs And Psychotropic Substances Act, 1985, Police Station- Nakud, District Saharanpur, during the pendency of trial.

4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case with a view to cause unnecessary harassment and to victimize him. The name of the applicant has come up in the confessional statement of co-accused persons which has no evidentiary value in the eyes of law. There is no recovery from the possession of the applicant. The criminal history has been explained except one case in which his bail application is pending. The applicant has been exonerated in another case and is on bail in other cases. The applicant is languishing in jail since 31.08.2026. In case, the applicant is released on bail, he will not misuse the liberty of bail.

5. Learned State Law Officer 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 that there is no recovery from the possession of the applicant and he has been implicated on the basis of confessional statement of co-accused persons 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- **Saddam,** 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 5, 2026
Ashok Gupta

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