2026:AHC:210584

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33636 of 2026

Ashish

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Abhinav Dwivedi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 73

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for the applicant, Shri Chandan Singh the learned A.G.A. for the State and perused the entire material available on record.

2. This is the second bail application filed by the applicant. First bail application has been rejected by this Court vide order dated 23.08.2025 passed in Criminal Misc. Bail Application No.36691 of 2024.

3. It has been argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the present case. Learned counsel further submits that by the efflux of time, trial began and during the trial, the statement of P.W.1, P.W. 2 were recorded and they have not supported the prosecution version, copy of their statements are annexed as Annexure-10 and 11 to the affidavit accompanying bail application. He thus submits that no offence against the applicant is made out. Several other submissions in order to demonstrate the falsity of the allegations made against the applicant have also been placed before the Court. The circumstances which, according to the counsel, led to the false implication of the accused have also been mentioned. It has also been assured on behalf of the applicant that he is ready to cooperate with the process of law and shall faithfully make himself available before the court whenever required and is also ready to accept all the conditions which the Court may deem fit to impose upon him. He next submits that applicant is languishing in jail since 30.06.2024.

4. Per contra, learned A.G.A. as well as learned counsel for the informant have opposed the prayer for bail of the applicant by contending that the innocence of the applicant cannot be adjudged at this stage, therefore, he does not deserve any indulgence.

5. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties, nature of evidence, and all attending

facts and circumstances of the case, without expressing any opinion on merits of the case, this Court is of the view that the applicant has made out a case for bail. Hence the bail application is allowed.

6. Let applicant **Ashish** involved in Case Crime No.329 of 2024 under Sections 452, 307, 34 I.P.C., Police Station Shalimar Garden, District Ghaziabad, be released on bail on furnishing a personal bond and two heavy local sureties each of the like amount to the satisfaction of the court concerned subject to the following conditions:-

A. The applicant shall not tamper with the evidence during the trial.

B. The applicant shall not pressurize/ intimidate the prosecution witness.

C. The applicant shall appear before the trial court on the date fixed, unless personal presence is exempted.

D. The applicant shall not commit an offence similar to the offence of which he is an accused, or suspected, of the commission of he is suspected.

E. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

7. In case of breach of any of the above condition, the trial Court shall be at liberty to cancel the bail of the applicant in accordance with law.

(Dr. Gautam Chowdhary,J.)

October 7, 2026
S.Ali

Digitally signed by :-
SHAUKAT ALI
High Court of Judicature at Allahabad