HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33891 of 2026

Himanshu Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Along with :

1. **Criminal Misc. Bail Application No. 33551 of 2026:**
   Avinashjha

   Versus

   State of U.P.

Counsel for Applicant(s)	:	Alok Ranjan Pandey, Shubham Kumar Yadav, Shubhendu Mishra
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. Since both the bail applications arise out of the same case crime number, they are being decided by this common judgment.

2. Heard Sri Shikhar Neel Kanth, Advocate holding brief of Sri Shubham Kumar Yadav, learned counsel for the applicants, Sri Rajendra Prasad Singh, learned State Law Officer for the State and perused the material placed on record.

3. Applicants seek bail in Case Crime No.55 of 2026, under Sections 318(4), 336(3), 61(2) B.N.S., 2023, and 66D of Information Technology Act, Police Station Cyber Crime, District Gautam Buddh Nagar.

4. Learned counsel for the applicants has argued that the applicants are directors of the company and that the said company has bona fide transactions. The only bone of contention was that the bank manager had illegally frozen one of the company's accounts, which led to an altercation

between the parties, whereupon the FIR was lodged. There is no criminal history of the applicants. The applicants have been languishing in jail since 22.05.2026 and are ready to cooperate with the trial. In case the applicants are released on bail, they will not misuse the liberty of bail.

5. Per contra, learned State Law Officer has vehemently opposed the bail application on the ground that transactions worth Rs.53,04,56,545.69/- have taken place in the account of the company, of which the applicants are directors, and, as such, they are not entitled to bail.

6. In rebuttal, learned counsel for the applicants has stated that the applicants have filed the income tax return in respect of the said amount and that all the transactions are bona fide.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, and without expressing any opinion on the merits of the case, *prima facie*, the Court is of the view that the applicants have made out a case for bail. The bail application is **allowed**.

8. Let the applicants- **Himanshu Kumar** and **Avinashjha**, 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 they shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

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

(Krishan Pahal,J.)

October 23, 2026
(Ravi Kant)

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