2026:AHC:208933

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 34395 of 2026

Shahbaz

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Prabhat Kumar Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68
(Sr. No.7 out of 190)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Prabhat Kumar Pandey, learned counsel for the applicant, Sri V.K.S. Parmar, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.763 of 2026, under Section 8/21/60 of The Narcotic Drugs And Psychotropic Substances Act, 1985, Police Station- Highway, District- Mathura, 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 applicant was simply a pillion rider on the scooty from which the said contraband was recovered. A false recovery of 1172 grams of heroin has been foisted on both the applicant and co-accused person.

5. Learned counsel for the applicant has further argued that the applicant was not in conscious possession of the said contraband. The role of being in conscious possession of the contraband can only be attributed to co-accused Imran. There is no criminal history of the applicant. The applicant is languishing in jail since 4.8.2026. The applicant is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

6. Learned A.G.A. has vehemently opposed the bail application.

7. Upon hearing learned counsel for the parties, perusal of record and considering the complicity of accused, severity of punishment as well as totality of facts and circumstances of the case, without commenting on the merits of the case, *prima facie*, I find it a fit case for bail. The bail application is allowed.

8. Let the applicant- **Shahbaz**, 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.

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

(Krishan Pahal,J.)

October 6, 2026
Vikas Verma

Digitally signed by :-
VIKAS VERMA
High Court of Judicature at Allahabad