2026:AHC:209434

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 34664 of 2026

Shiv Kumar And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Shantanu Srivastava, Utkarsh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Heard Sri Saurabh Tripathi, learned counsel holding brief appeared for accused applicants and learned A.G.A. for State.

2. The present bail application has been moved by the applicants/accused- **Shiv Kumar and Kunwar Bahadur Singh @ Sonu** to enlarge them on bail in Case Crime No. 282 of 2026, under Sections 309(4), 317(2) BNS, P.S.- Mohammdabad, District- Farrukhabad, during the pendency of trial.

3. It is the contention of learned counsel for applicant that the FIR has been lodged by Naveen Kumar Agarwal, the proprietor of the firm against anonymous persons on 18.08.2026 with the allegation that on 18.08.2026 the accused/applicant no.1 Shiv Kumar along with another person was returning on a motorcycle carrying Rs. 30 Lakhs cash of the informant as they are working in his firm. The robbery was reported by the accused/applicant no.1 to the informant. Later on after lodging of the FIR against anonymous persons the police investigated and arrested the accused persons and also got recovered the amount. The amount of Rs. 9.75 Lakhs is recovered from applicant no.1 and Rs. 1 Lakh is recovered from applicant no.2, who are real brothers. It is the contention of learned counsel that false and frivolous recovery has been shown from the accused/applicant. The main allegation is that the accused/applicant has leaked the information of Rs. 30 Lakhs due to which it has been robbed and he was also involved in the said robbery. He submits that the applicant no.1, is driver of the informant having no criminal history and

applicant no.2, who is brother of applicant no.1 is having one case criminal history of Excise Act. The investigation is continuing. The accused applicants are languishing in jail since 21.08.2026 They seek to be enlarged on bail.

4. Learned A.G.A. for State and learned counsel for the informant have opposed the prayer for bail.

5. This Court has taken into consideration the rival submissions made by learned counsel for the parties and perused the record.

6. Considering the arrest and recovery has been made in absence of independent witness, the accused/applicant is entitled to be released 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 7, 2026
Abhishek Sri.

Digitally signed by :-
ABHISHEK RANJAN SRIVASTAVA
High Court of Judicature at Allahabad