2026:AHC:209402

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 34662 of 2026

Mahboob

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Manish Kumar Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Heard Sri Manish Kumar Singh, learned counsel for accused applicant and learned A.G.A. for State.

2. The present bail application has been moved by the applicant accused-**Mahboob** to enlarge him on bail in Case Crime No. 233 of 2026, under Sections 331(4), 305(a), 318(4), 317(2), 3(5) of BNS, P.S.- Doghat, District- Baghpat, during the pendency of trial.

3. It is the contention of learned counsel for applicant that the accused applicant has been falsely implicated in FIR dated 17.07.2026 lodged by Raj Singh against anonymous person with the allegation that there was a theft of buffalo from his house on 17.07.2026 at 3:42 a.m. In the morning, the FIR was registered at 07:49 a.m. and at the same time the police patrol party has apprehended the accused applicant and recovered buffalo. It is the contention of learned counsel that the recovery was planted on the accused applicant. The applicant has criminal history of four cases, in all cases, he is on bail. Investigation is continuing and applicant is co-operating in the investigation. The accused applicant is languishing in jail since 18.07.2026. He seeks enlargement of accused on bail.

4. Learned A.G.A. for State opposed the bail application.

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

6. Considering that the recovery and arrest of the accused applicant has

simultaneously being made at the same time of registration of the FIR, 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
Sharad/-

Digitally signed by :-
SHARAD KUMAR SRIVASTAVA
High Court of Judicature at Allahabad