2026:AHC:209052

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35285 of 2026

Sanjay

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Himanshu Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 50

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Shri Himanshu Mishra, learned counsel for the applicant and Shri Shashank Singh, Brief Holder for the State and perused the entire material available on record.

This is a second bail application filed by the applicant. The first bail application filed by the present applicant was rejected by this Court vide order dated 02.02.2026, passed in Criminal Misc. Bail Application No. 36988 of 2025, Sanjay vs. State of U.P., copy whereof has been brought on record as Annexure-2 to the bail application.

The applicant- Sanjay, has filed this second bail application with a prayer to enlarge him on bail in Crime No. 295 of 2025, under Sections 21/22 of N.D.P.S. Act, Police Station-Barsana, District-Mathura, during the pendency of the trial.

In support of this second bail application, learned counsel for the applicant has reiterated the entire submissions made in the first bail application, which are not necessary to mention herein again by this Court.

Apart from the above, learned counsel for the applicant submits that in the present case Charge sheet has been filed by the Investigating Officer against the applicant and the charges have been framed and there is no need of further custodial interrogation of the applicant. He further submits that till date only one witness has been examined and there is no possibility of conclusion of trial in near future. Criminal history of two cases has been

properly explained. He, therefore, submits that on the above grounds, the applicant is liable to be enlarged on bail.

Learned AGA has vehemently opposed, but could not dispute the aforesaid facts.

Considering all those facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is allowed.

Let the accused-applicant, ***Sanjay***, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.

2. The applicant will not indulge in any criminal activity.

3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.

4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

(Ashutosh Srivastava,J.)

October 6, 2026
Deepak/

Digitally signed by :-
DEEPAK KUMAR KUSHWAHA
High Court of Judicature at Allahabad