2026:AHC:208394

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 35448 of 2026**

Amit Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

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Counsel for Applicant(s) : Ram Pravesh Yadav, Shashank Kumar
Counsel for Opposite Party(s) : G.A.

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**Court No. - 69**

**HON'BLE AVNISH SAXENA, J.**

1. Heard Sri Ram Pravesh Yadav, learned counsel for accused applicant and learned A.G.A. for State.

2. The present bail application has been moved by the applicant accused-**Amit Yadav** to enlarge him on bail in Case Crime No. 113 of 2026, under Sections 309(6), 317(2) of BNS, P.S.- Chitwaragoan, District- Ballia, during the pendency of trial.

3. It is the contention of learned counsel for applicant that the accused applicant has been falsely implicated during investigation in FIR dated 25.08.2026 lodged by one Upendra Kumar with the allegation that the informant was in service at Sanjay Bharat Gas Godam. On 24.08.2026 at about 08:25 p.m., he was carrying cash of Rs. 4,91,735/- in his motorcycle dicky. He was intercepted by two anonymous persons, who had assaulted him with danda and tried to open dicky but hey could not open the dicky but open the bag and robbed him of Rs. 1,22,000/-. It is the contention of learned counsel that accused applicant was arrested from his residence and shown that he was arrested on the basis of tip off while he tried to move out of the district. The arrest of the accused is in absence of independent witness. Four persons were shown in the FIR but only two person have been arrested and later on in the statement of informant, the main allegation is leveled against the accused applicant. The applicant has no criminal history. The charge sheet is submitted. The accused applicant is languishing in jail since 28.08.2026. 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 accused has been arrested in absence of independent witness and apparent change in the stand of the informant, 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 6, 2026**
Sharad/-

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