2026:AHC:207978

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35337 of 2026

Dragpal

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Radhey Shyam Shukla, Vipul Shukla
Counsel for Opposite Party(s) : G.A.

Court No. - 68
(Sr. No. 67 out of 278)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed today by learned counsel for the applicant is taken on record.

2. Heard Sri Radhey Shyam Shukla learned counsel for the applicant, Sri Anit Kumar Shukla learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No. 175 of 2026 under Section 8/15 of The Narcotic Drugs And Psychotropic Substances Act, 1985, Police Station-Mirzapur, District Shahjahanpur, during the pendency of trial.

4. Learned counsel for the applicant has argued that there is no recovery of contraband from the possession of the applicant, rather his name come up in the confessional statement of the two arrested co-accused persons Sulakkhan Singh and Man Singh which has no evidentiary value in the eyes of law. There is no compliance of the mandatory provisions of Section 57 of the N.D.P.S. Act. The applicant has been implicated in the present case by the police to show good work. There is no criminal history of the applicant. The applicant is languishing in jail since 10.08.2026. In case, the applicant is released on bail, he will not misuse the liberty of bail.

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

6. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into

consideration that there is no compliance with the mandatory provisions of Section 57 of the N.D.P.S. Act, and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

7. Let the applicant- **Dragpal**, 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.

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

(Krishan Pahal,J.)

October 5, 2026
Suraj Srivastav

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