2026:AHC:209974

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35708 of 2026

Adil

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Anand Kumar, Vinod Kumar Yadav
Counsel for Opposite Party(s) : G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Sri Vinod Kumar Yadav, learned counsel for the accused-applicant hands up the supplementary affidavit explaining the criminal history. The same is taken on record.

1A. Heard Sri Yadav, learned counsel for the accused-applicant and learned A.G.A. for the State.

2. The present bail application has been moved by the accused-applicant **Adil** to enlarge him on bail in Case Crime No. 383 of 2025, under Sections 303(2), 317(2), 3(5), 123 BNS, P.S.- Civil Lines, District-Rampur, during the pendency of trial.

3. It is contended by learned counsel for the accused-applicant that the F.I.R. is lodged on 26.09.2025 through an application under Section 173(4) BNSS by Rashmi Sharma against anonymous person with the allegation that when she was travelling in bus, she was intercepted by some anonymous persons, who had offered her biscuit and chips, after eating, she had fainted and her belongings were stolen by the accused persons. Later on, the accused-applicant was arrested in another case and on his confessional statement, the theft was opened. There was recovery, which is in absence of independent witness. The applicant has three cases criminal history, in which, in two cases, he is on bail and he has confessed one case in the Lok Adalat. The applicant is not connected with the present case, as no test identification parade has been conducted. The charge sheet is submitted. The applicant is in jail since 24.10.2025 and

hence, the applicant seeks to be released on bail.

4. Learned A.G.A. for State has opposed the prayer for bail of the applicant, but could not dispute the aforesaid facts.

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

6. Considered that the arrest and recovery has been made in the absence of independent witnesses and except the disclosure statement, there is no incriminating material against the accused-applicant.

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
Shivangi

Digitally signed by :-
SHIVANGI YADAV
High Court of Judicature at Allahabad