HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35553 of 2026

Nandan K Padaliya

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Akash Sharma
Counsel for Opposite Party(s) : G.A., Sameer Srivastava, Shivanshu Mehta

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Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Heard Sri Addhyan Gupta, learned counsel holding brief appeared for accused applicant, Sri Shivanshu Mehta, learned counsel for the informant and learned A.G.A. for State.

2. The present bail application has been moved by the applicant/ accused- **Nandan K Padaliya** to enlarge him on bail in Case Crime No. 287 of 2024, under Sections 318(4) and 61(2) BNS, P.S.- Prem Nagar, District- Bareilly, 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 the FIR 31.07.2024 lodged by the informant Vishwanath Gupta, the proprietor of M/s Samriddhi Enterprises with the allegation against five persons, who are family members of accused/applicant. There was certain transaction between the two firms, informant's firms and firm of co-accused, namely, Vimal Enterprises, for which Rs. 96,07,147/- transferred to the account for purchase of beetle nut. It is the contention of learned counsel that the allegation is that the beetle nut has never been supplied nor amount has been returned. Further submits that the accused/applicant is son of the main accused and is not concerned with the business. The only incriminating material against them is transfer of Rs. 25,00,000/- to his account by her mother. This transaction is personal transaction between mother and son and is nothing to do with the business transaction. He submits that the applicant is in jail since 01.07.2026. The charge sheet is

submitted. The accused/applicant has criminal history of one case, wherein he is in jail. The another case is pertaining to the same transaction. Hence seeks that the accused/applicant be released on bail.

4. Learned A.G.A. for State and learned counsel for the informant have opposed the prayer for bail and submit that there is huge transaction being carried out in the bank account of son of co-accused. It is clear case of cheating, wherein accused/applicant is one of the beneficiary as there is certain transaction of the amount to the account of accused. Further submits that the father of accused/applicant is absconding and therefore is bail application be rejected.

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

6. Considering prima facie the commercial transaction between the parties, wherein the accused/applicant has no role in the company and the transaction made to his account is personal transaction between mother and son, 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 29, 2026
Abhishek Sri.

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