HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35889 of 2026

Kawaldhari Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Vinay Kumar Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Vinay Kumar Pandey, learned counsel for the applicant, Sri R.P. Singh, learned State Law Officer for the State and perused the material placed on record.

3. Applicant seeks bail in Case crime No.59 of 2025, Under Sections 316(5), 318(4), 338, 336(3), 342(1), 344, 61(2) B.N.S., Police Station Chetganj, District Varanasi, during the pendency of trial.

4. Learned counsel for the applicant has argued that the applicant has been falsely implicated in the present case. It is true that the applicant is the proprietor of Nilambar Taxim and Credit Pvt. Ltd. and that two cheques worth Rs.15 lakhs each were credited to his account. However, the co-accused, Ashish Tiwari, who was the wrecker-in-chief, has already been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 04.05.2026 passed in Criminal Misc. Anticipatory Bail Application U/S 482 BNSS No.8544 of 2025. The case of the applicant is on a better footing than that of the said accused. As such, the applicant is also entitled to bail on the ground of parity. There is no criminal history of the applicant. The applicant has been in jail since 27.08.2025 and undertakes not to misuse the liberty of bail.

5. The prayer for bail has been vehemently opposed by learned State Law Officer on the ground that the applicant is a part of larger net of the co-

accused Ashish Tiwari and he, being the proprietor of the said company, is not entitled to bail.

6. After hearing learned counsel for the parties and taking into consideration that the main accused has been enlarged on anticipatory bail, 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. Accordingly, the bail application is **allowed**.

7. Let the applicant- **Kawaldhari Yadav**, 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 24, 2026
(Ravi Kant)

Digitally signed by :-
RAVI KANT
High Court of Judicature at Allahabad