2026:AHC:210332

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35721 of 2026

Akash

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Jay Singh Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

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

2. The present bail application has been moved by the applicant accused-**Akash** to enlarge him on bail in Case Crime No. 97 of 2026, under Sections 305, 331(4), 317(2) of BNS, P.S.- Didarganj, District- Azamgarh during the pendency of trial.

3. It is the contention of learned counsel for accused applicant that the FIR has been lodged by Paras Nath Yadav against anonymous person on 25.5.2026 for the theft committed in his residence in the intervening night of 24.5.2026 to 25.5.2026. It is further contended that co-accused Mohd. Kalim was arrested by the police and in his disclosure statement, the name of the accused applicant has been figured out. It is further contended that all the cases are of theft in criminal history which were against anonymous persons. It is the police, who has opened all the cases on the basis of disclosure statement. The charge sheet has been submitted. The accused applicant has 43 cases criminal history, wherein, in 39 cases, he is on bail, in two cases, bail applications are pending before this Court, in one case, he is not named and in one case, record of is untraceable. The applicant is languishing in jail since 6.8.2026. He seeks enlargement of accused on bail.

4. Learned A.G.A. has 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 name of the accused applicant has been figured out from the statement of the co-accused and there is no recovery from the accused applicant, the accused applicant is entitled to be enlarged 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 7, 2026
Krishna*

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