2026:AHC:211399

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 36054 of 2026

Vinod Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Virendra Kumar Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Heard Sri Braham Kumar Tiwari, learned counsel holding brief appeared for accused applicant and learned A.G.A. for State.

2. The present bail application has been moved by the applicant/ accused- **Vinod Kumar** to enlarge him on bail in Case Crime No. 267 of 2025, under Sections 409 IPC, P.S.- Dilari, District- Moradabad, during the pendency of trial.

3. It is the contention of learned counsel for applicant that the accused applicant has been falsely implicated in the FIR dated 21.11.2025 lodged by Pravin Kumar Gupta, Assistant Superintendent, Post Office against the accused/applicant, who is Dakpal against whom there is allegation that druing his tenure as Dakpal from 04.10.2020 to 12.10.2023 he has embezzled Rs. 35 Lakhs, which he has fraudulently mentioned in the accounts of the subscribers but has not made entries in SAP (System Application and Product) and IPPB Journal (India Post Payments Bank). It is the contention of the learned counsel that the FIR is delayed. After the inquiry it is found that the embezzled amount is Rs. 9,02,581/- and not Rs. 35 Lakhs. He submits that out of Rs. 9 Lakhs, he has already deposited Rs. 8 Lakh. He submits that the applicant has no criminal history. The charge sheet is submitted. The accused/applicant is languishing in jail since 24.06.2026. The trial is still at nascent stage and seeks to be enlarged on bail.

4. Learned A.G.A. for State has opposed the prayer for bail.

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 argument made by the learned counsel for the applicant that he has deposited Rs. 8 Lakhs out of Rs. 9 Lakhs does not found any substance as is reflected from page no.34, which shows that the amount of Rs. 8,41,520/-, which is paid is found to be incorrect and the bank is still in arrears of Rs. 9,02,581/-. There is apparent embezzlement of public fund, the accused/applicant is not entitled to be released on bail.

7. Hence, without touching merit of the case, the bail application is **rejected.**

(Avnish Saxena,J.)

October 8, 2026
Abhishek Sri.

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