2026:AHC:226969

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35743 of 2026

Arvind Tiwari

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Bishram Tiwari, Rakesh Kumar Upadhyay
Counsel for Opposite Party(s)	:	Ankit Kumar Yadav, G.A., Gireesh Chandra Sharma

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed by learned counsel for the applicant is taken on record.

2. Heard Sri Bishram Tiwari, learned counsel for the applicant, Sri Gireesh Chandra Sharma, learned counsel for the informant as well as Sri Ram Mohit Yadav, learned AGA for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.107 of 2025, under Sections 319(2), 318(4), 316(2), 351(3), 338, 336(3) and 340(2) B.N.S., Police Station Kapsethi, District Varanasi, during the pendency of trial.

4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The allegations levelled against the applicant are per se false, and he has nothing to do with the alleged offence. The said amount transferred to the account of applicant was a business transaction. The criminal history attributed to the applicant has been explained. He is in jail since 10.8.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

5. Learned counsel for the informant and learned AGA have vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

6. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, 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. The bail application is ***allowed***.

7. Let the applicant- **Arvind Tiwari**, 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.)

November 2, 2026
Vikas Verma

Digitally signed by :-
VIKAS VERMA
High Court of Judicature at Allahabad