2026:AHC:210396

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35717 of 2026

Shabnam

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Ajit Kumar Mishra, Atul Kumar Shahi
Counsel for Opposite Party(s) : G.A.

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 Atul Kumar Shahi, learned counsel for the applicant, Ms. Ifrah Islam, learned State Law Officer for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.209 of 2026, under Section 8/22 of The Narcotic Drugs And Psychotropic Substances Act, 1985, Police Station-Crossing Republic, District- Ghaziabad, 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 with a view to cause unnecessary harassment and to victimize her. A false recovery of 126 grams of alprazolam powder has been foisted on the applicant by the police to show good work. The allegations are *per se* false and the weight of the said contraband has been inflated by the police just to make it fall within commercial category.

5. Learned counsel for the applicant has further argued that there is no compliance of mandatory provision of Section 52A and 57 of the N.D.P.S. Act. The criminal history assigned to the applicant has been explained. The applicant is languishing in jail since 16.9.2026. The applicant is ready to cooperate with trial. In case, the applicant is released on bail, she will not misuse the liberty of bail.

6. Learned State Law Officer has vehemently opposed the bail application.

7. Upon hearing learned counsel for the parties, perusal of record and considering the complicity of accused, severity of punishment as well as totality of facts and circumstances coupled with the fact that there is no compliance of mandatory provision of Section 52A & 57 of the NDPS Act, without commenting on the merits of the case, *prima facie*, I find it a fit case for bail. The bail application is allowed.

8. Let the applicant- **Shabnam**, 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 she shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

9. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

October 7, 2026
Vikas Verma

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