HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 36280 of 2026

Nitin Kushwaha Alias Sagar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Amit Kumar Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Sri Amit Kumar Singh, learned counsel for applicant hands up supplementary affidavit explaining the criminal history, the same is taken on record.

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

2. The present bail application has been moved by the applicant accused-**Nitin Kushwaha Alias Sagar** to enlarge him on bail in Case Crime No. 578 of 2023, under Sections 420, 467, 468, 471 IPC, P.S.- Kaushambi, District- Ghaziabad, during the pendency of trial.

3. It is the contention of learned counsel for applicant that the accused applicant has been falsely implicated in FIR dated 14.12.2023 lodged by Dr. Simmi Agarwal with the allegation against two accused persons including the applicant that they took money for getting admission in the Lala Lajpatrai Memorial Medical College, Meerut. It is further contended that co-accused Arun Kumar runs a consultancy institute, the applicant is an employee. It is further submits that Rs. 75,000/- has been transferred to the account of accused applicant at the instance of the co-accused. The applicant has never assured any admission in the medical college. The accused applicant has criminal history of three cases, wherein one case he is on bail and in two cases, he has not been arrested so far as the charge sheet is not submitted. The investigation is continuing and applicant is co-operating in the investigation. The accused applicant is languishing in jail

since 20.06.2026. He seeks enlargement of accused on bail.

4. Learned A.G.A. for State 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 the role of accused applicant, the accused/applicant is entitled to be released 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 28, 2026
Sharad/-

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