HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 36263 of 2026

Shiv Narayan Kori

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

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

Court No. - 69

HON'BLE AVNISH SAXENA, J.

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

2. 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-**Shiv Narayan Kori** to enlarge him on bail in Case Crime No. 101 of 2026, under Sections 303(2), 317(2), 317(4) BNS, P.S.- Panki, District-Kanpur Nagar, 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 01.03.2026 lodged by Sudhir Kumar against anonymous persons with the allegation that his e-rickshaw was stolen. It is subsequently on the basis of police informer's information, the accused applicant has been arrested and from his instance, three e-rickshaw were recovered. Further submits that arrest and recovery has been made in the absence of independent witness. The accused applicant has criminal history of ten cases. In six cases, he is on bail, in four cases he is in jail. Out of which, three cases has been invoked on the date when he was arrested. Except the disclosure statement, there is no incriminating material against the applicant. Charge sheet is submitted. The accused applicant is languishing in jail since 03.03.2026. 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 that the arrest and recovery has been made in the absence of independent witness, 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