HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37566 of 2026

Ramnayan Gupta @ Krishna Gupta @ Krishna Kanhaiya

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

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

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant and Sri Neeraj Kumar Sharma, learned AGA for the State-opposite party. Perused the material available on record.

2. The present bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 687 of 2026, under Sections 111, 318(4), 316(2), 338, 336(3), 340(2), 3(5) of B.N.S., Police Station-Bhojipura, District Bareilly, during the pendency of trial.

3. Counsel for the applicant contends that the applicant was forcibly taken away by a police team and has been falsely implicated in the present case. Recovery of two mobile phones has been shown from the applicant. The said mobile phones belong to the applicant. A joint recovery of Rs.3,50,000/- has also been shown from the applicant and other co-accused. The alleged recovery is false and planted. There is no independent witness to the alleged recovery. The applicant is neither a member of any organized crime syndicate nor he acted on behalf of such syndicate. At this stage there is no corroborative evidence to link the applicant with the offence. It is next contended that identically placed co-accused Rishabh Kumar Saxena has been granted bail by this Court vide order dated 22.10.2026 passed in Criminal Misc. Bail Application No.37549 of 2026. Applicant claims parity. Criminal history of the applicant has been explained in paragraph-20 of the bail application. The applicant is in jail since 31.8.2026 and in case he is enlarged on bail, he will not misuse the said liberty.

4. Learned AGA has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having heard counsel for the parties and having perused the record, this Court prima facie finds that there is no independent witness to the alleged recovery. At this stage there is no corroborative evidence to link the applicant with the offence. Further, identically placed co-accused Rishabh Kumar Saxena has been granted bail by this Court. Moreover, the applicant has remained confined for more than one and half month and there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or delay the trial or intimidate the witness, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant **Ramnayan Gupta @ Krishna Gupta @ Krishna Kanhaiya**, involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that he:

(i) shall appear on the date fixed by the trial court;
(ii) shall not tamper with the prosecution evidence; and,
(iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

October 23, 2026
Manish Kr

(Vivek Varma,J.)

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