HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 36440 of 2026

Deepak Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Bhagirathi, Rajesh Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

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

2. The present bail application has been moved by the applicant/ accused- **Deepak Kumar** to enlarge him on bail in Case Crime No. 406 of 2026, under Sections 316(5) BNS, P.S.- Bahjoi, District- Sambhal, during the pendency of trial.

3. It is the contention of learned counsel for applicant that the accused applicant has been falsely implicated in the FIR dated 07.08.2026 lodged by the informant with the allegation that the accused/applicant is the Assistant Post Master in the post office, wherein the informant was having the Fixed Deposit of Rs. 2 lakhs. The informant has gone through the paper news that there was some embezzlement in the post office and when the informant has seen the account, it is found that Rs. 2 lakhs fixed deposit was broken and same was credited in the post office account and thereafter it was withdrawn. It is the contention of learned counsel that in the news paper the allegation of embezzlement is published against the accused/applicant, which was lodged under Prevention of Corruption Act. In which, final report is submitted after thorough investigation. The final report is at page no. 40, wherein the accused/applicant has not been charge sheeted. It is the contention of learned counsel that it is on the basis of this news paper report that the 12 FIRs have been lodged, which were tuitored. The accused/applicant has not committed any

embezzlement with the funds. The money shown to be siphoned of from the post office account of a particular person has not been the handiwork of the accused/applicant. The accused/applicant is in jail in all the 12 cases. He has got no previous criminal history. The investigation is continuing and he is cooperating with the investigation. The accused applicant is languishing in jail since 07.08.2026. He seeks to be enlarged on bail.

4. Learned A.G.A. for State has opposed the prayer for bail of the applicant, but could not dispute the aforesaid fact.

5. This Court has taken into consideration the rival submissions made by learned counsel for the parties and perused the record.

6. Considering the charge of embezzlement, which was initiated against the accused/applicant ended in submission of final report and the present case is originated merely on the basis of that news paper report, 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
Shivangi

Digitally signed by :-
SHIVANGI YADAV
High Court of Judicature at Allahabad