HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 36497 of 2026

Vikas Rai Sharma

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Gaurang Dwivedi, Prajit Chaturvedi, Raghuvansh Misra
Counsel for Opposite Party(s)	:	G.A., Samvardhan, Shantanu

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Heard Sri Raghuvansh Mishra, Sri Prajit Chaturvedi, learned counsel for accused applicant, Sri Shantanu, learned counsel for the informant and learned A.G.A. for State.

2. The present bail application has been moved by the applicant/ accused- **Vikas Rai Sharma** to enlarge him on bail in Case Crime No. 377 of 2026, under Sections 319(2), 318(4), 338, 336(3), 352, 351(3), 3(5) BNS, P.S.- Kotwali, District- Azamgarh, 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 14.07.2026 lodged by the informant-Shekhar Srivastava against six named persons with the allegation that the informant has invested Rs. 3.14 Crores on personal terms with the accused/applicant as he has ensured him of his connection in customs department and for purchase of customs goods, which is to be further sold. It is further alleged that initially Rs. 51 lakhs has been received as profit but the remaining amount has not been made good or the customs goods have not been provided, as such the FIR. It is contended that it is an admitted position in the FIR that the accused/applicant was transferred with the money for purchase of good. No such assurance as stated in the FIR has ever been given that the accused applicant has relation in customs department. Further submits that co-accused Vishal Rai has already been granted bail and the other co-accused approached this Court in writ petition, wherein criminal

proceedings were started. Further submits that the accused/applicant has no criminal history. The charge sheet is submitted. There is no written agreement between the parties. The applicant is in jail since 18.07.2026 and seeks to be enlarged on bail.

4. Learned A.G.A. for State and learned counsel for the informant have opposed the prayer for bail and submits that the accused/applicant is instrumental in the offence of cheating as he has taken Rs. 3.14 Crores by projecting himself to be close to the customs department and therefore the informant has invested the money. There are certain cheques to show the transaction. The applicant is main accused. Hence submits that the bail application be rejected.

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

6. Considering prima facie that money is invested for purchase of customs goods considering the link of accused/applicant with the customs officials, 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 29, 2026
Abhishek Sri.

Digitally signed by :-
ABHISHEK RANJAN SRIVASTAVA
High Court of Judicature at Allahabad