2026:AHC:227244

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38045 of 2026

Ravi Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Deepak Upadhyay, Vishal Duvey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Deepak Upadhyay, learned counsel for the applicant and Sri Imran Khan, learned AGA, for the State.

2. The instant bail application has been filed on behalf of the applicant with the prayer to release him on bail in Special Trial No. 06 of 2026 arising out of Case Crime No.318 of 2025, under Section 140(2) BNS, Police Station Dannahar, District Mainpuri during pendency of the trial.

3. Learned counsel for the applicant submits that applicant was enlarged on bail by this Court in the present matter on 16.3.2026 but subsequently he due to illness of his father-in-law could not attend the trial court and on 15.5.2026 NBW was issued against him and thereafter on 16.8.2026 he was sent to jail in a case relating to provisions of U.P.Gangsters Act.

4. He further submits that applicant never intended to flout the order passed by this Court and under compelling circumstances he could not appear before the court concerned.

5. He further submits that applicant has given an undertaking that after released on bail he shall regularly attend the trial court.

6. He further argued that even in the present matter applicant is in jail since 11.9.2026 i.e., for the last more than one and half months.

7. Per contra, learned AGA opposed the prayer for bail and submits that however, there is abscondance of applicant of only four months but after issuing NBW on 15.5.2026 learned trial court also issued process under

Section 84 BNSS against him and in the present matter he is in jail only since 11.9.2026.

8. He further submits that therefore, considering the facts and circumstances of the case, applicant is not entitled to be released on bail and his bail application should be dismissed.

9. I have heard learned counsel for the parties and perused the record of the case.

10. However, it reflects that after released on bail by this Court applicant did not appear before the court concerned and even due to his non-appearance trial court had to issue warrants and process under Section 84 BNSS but even as per prosecution the period of abscondance was less than four months.

11. Further, even applicant has given an undertaking that in future he will regularly attend the trial court.

12. Further, even in the present matter applicant is in jail since 11.9.2026, i.e., for the last more than one and half months.

13. Therefore, considering the overall facts and circumstances of the case, in considered view of this Court, applicant is entitled to be released on bail.

14. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is allowed.

15. Let the applicant-**Ravi Yadav** 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 the court concerned with the following conditions:-

(i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social

activity.

16. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

17. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Sameer Jain,J.)

November 2, 2026
SKM

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