HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38498 of 2026

Deshratan

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

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

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Copy of recovery memo, produced by Sri S.S. Pandey, learned AGA for the State, is taken on record.

2. Heard learned counsel for the applicant and Sri S.S. Pandey, learned AGA for the State-opposite party. Perused the material available on record.

3. The present bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 640 of 2026, under Sections 318(4), 316(2), 336(2), 338, 340(2), 3(5), 111 B.N.S., Police Station- Bhojipura, District - Bareilly, during the pendency of trial.

4. Counsel for the applicant contends that the applicant has been falsely implicated in the present case. Vague and general allegations have been levelled against the applicant. The co-accused Abid is alleged to have received Rs.47,000/- from the informant. The case of the applicant is clearly distinguishable from that of the co-accused Abid. It is next contended that the applicant has not forged or fabricated any documents. The applicant has not taken any money from the informant. False recovery of four photocopies of a ration card, Rs. 400/-, five Ayushman cards and a mobile phone has been shown from the applicant. There is no independent witness to the alleged recovery. The recovered articles do not link the applicant with any offence. The applicant is neither a member of any organized crime syndicate nor he acted on behalf of such syndicate. Co-accused Afroz has been granted bail by this Court vide orders dated 23.10.2026 passed in Criminal Misc. Bail Application No. 37598 of 2026 (Afroz vs. State of U.P.). Applicant claims parity. The applicant is in jail since 19.8.2026 having no criminal

history and in case he is enlarged on bail, he will not misuse the said liberty.

4. Learned AGA for the State 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 vague and general allegations have been levelled against the applicant. The co-accused Abid is alleged to have received Rs.47,000/- from the informant. There is no independent witness to the alleged recovery. Co-accused Afroz has been granted bail by this Court. Moreover, the applicant has no criminal antecedents and has remained confined for almost two months 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 Deshratan, 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 29, 2026
S.S.

(Vivek Varma,J.)

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