2026:AHC:230820

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 39657 of 2026

Nitin Pandey @ Jitendra Pandey

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ashish Agrawal, Uttam Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Uttam Singh, learned counsel for the applicant and Dr. S. B. Maurya, learned AGA for the State-respondent.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 07 of 2026, under Sections 103(1), 238-A, 140(1), 191(2), 191(3), 190, 61(2) BNS, Police Station Sajeti, District Kanpur Nagar, during pendency of the trial in the court below.

3. Learned counsel for the applicant submitted that it is a case of circumstantial evidence and nobody was named in the FIR.

4. He further submitted that during investigation applicant has been made accused through the statement of co-accused and confessional statement of applicant recorded by the Investigating Officer and except above evidence there is no other evidence against the applicant on record.

5. He further submitted that even with a very detailed order co-accused Dinesh Kumar Pandey has been released on bail by this Court, copy of which has been annexed at page-98 of the paper book and on facts, case of applicant is at par with him.

6. He further submitted that applicant is having no previous criminal history and he is in jail in the present matter since 24.9.2026.

7. Per contra, learned AGA opposed the prayer for bail but could not dispute the arguments on facts advanced by learned counsel for the applicant.

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

case.

9. It is a case of circumstantial evidence and nobody was named in the FIR.

10. It reflects, during investigation applicant has been made accused alongwith several others including co-accused Dinesh Kumar Pandey.

11. It also reflects, except the statement of the co-accused and confessional statement of the applicant recorded by the Investigating Officer, there is no other evidence against the applicant on record.

12. Further co-accused Dinesh Kumar Pandey has also been released on bail by this Court and case of applicant is at par with him.

13. Further, applicant is having no previous criminal history and he is in jail in the present matter since 24.9.2026.

14. Therefore, considering the facts and circumstances of the case, discussed above, in my view, applicant is entitled to be released on bail.

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

16. Let the applicant-Nitin Pandey @ Jitendra Pandey, 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.

17. 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.

18. 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.

November 5, 2026
Ankita

(Sameer Jain,J.)

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