2026:AHC:230597

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 39699 of 2026

Mohd Sharif Quraishi

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Upendra Upadhyay
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant and Sri V.P. Tripathi, learned A.G.A. for the State-opposite party.

2. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 168 of 2026, under Sections 318(2), 336(3), 340(2), 338, 111 B.N.S., Police Station Marhara, District Etah during the pendency of the trial.

3. Learned counsel for the applicant submits that the applicant was not named in the first information report and has been falsely implicated in the present case. The name of the applicant surfaced during the course of investigation. The applicant is neither Principal nor Manager of the alleged institution namely Bhagwan Das Medical College, Etah. No amount relating to admission or examination fees has been credited to the bank account of the applicant. The applicant is not a beneficiary of any illicit transaction. The informant has transferred the fees amount through online mode into the bank account of co-accused Satendra Kumar. The applicant has no concern with the informant's alleged admission in the said course. The applicant is a class-IV employee working in the said college on daily wages. There is no report of the writing expert to establish that the fee receipts were issued by the applicant. The case of the applicant is distinguishable from that of the named co-accused Satendra Kumar. It is next contended that the applicant is neither a member of any organized crime syndicate nor he acted on behalf of such syndicate. The applicant is in jail since 19.09.2026 having no criminal history and if he is released on bail, he will not misuse the said liberty.

4. Learned A.G.A. has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having heard learned counsel for the parties and after perusal of the record, this Court prima facie finds that the applicant was not named in the first information report. The name of the applicant surfaced during the course of investigation. The informant has transferred the fees amount through online mode into the bank account of co-accused Satendra Kumar. At this stage, there is no corroborative evidence to link the applicant with the offence. The applicant has no criminal antecedents. Moreover, the applicant has remained confined for more than a month and after submission of the charge-sheet there is no hope of early conclusion of trial, and 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, therefore, 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- Mohd. Sharif Quraishi, 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 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.

November 5, 2026
SKT/-

(Vivek Varma,J.)

Digitally signed by :-
SHIVA KANT TIWARI
High Court of Judicature at Allahabad