2026:AHC:231454

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 45374 of 2025

Pradeep Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Chandra Prakash Singh, Rajeev Kumar Saxena, Virendra Kumar Yadav
Counsel for Opposite Party(s)	:	G.A., Jitendra Kumar Pandey, Pankaj Dwivedi

Court No. - 67

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Shad Khand and Chandra Prakash Singh, learned counsel for the applicant and Sri C.S. Saran, learned A.G.A. for the State and Sri Pankaj Dwivedi, learned counsel for the first informant.

2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 04 of 2025, under Sections 318(4), 319(2), 336(3), 3(5), 111(2)B, 338, 340(2), 238 BNS and Section 66C and 66D of IT Amendment Act, Police Station Cyber Crime, District Prayagraj, during the pendency of the trial.

3. It is contended by the learned counsel for the applicant that the applicant has been falsely implicated in the present case. It is further submitted that FIR has been lodged against unknown and during investigation name of the applicant has surfaced in the statement of the one bank officer in which he has stated that the applicant was found inside the ATM centre and he is said to have changed the mobile number of the account of the first informant and by changing the said mobile number, he is said to have withdrawn the amount from the bank account of the first informant on various dates. It is next submitted that no concrete evidence has been found during investigation. It is also submitted that the applicant has been languishing in jail since 18.10.2025 and he is having no criminal history and till date only one witness has been examined and the trial is not likely to be concluded in near future. It

is lastly submitted that in case the applicant is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings. He has also placed reliance on the judgement of the Apex Court in the case of ***Kapil Wadhawan vs Central Bureau of Investigation*** reported in 2025 SCC OnLine SC 3038 wherein it has been held that a person cannot be left under trial for an indefinite period.

4. Per contra, learned counsel for the first informant and learned A.G.A. have vehemently opposed the prayer for bail and it is submitted that during investigation it has surfaced that the applicant was found inside the ATM centre and he is said to have changed the mobile number of the account of the first informant and by changing the said mobile number, he is said to have withdrawn the amount from the bank account of the first informant on various dates.

5. FIR has been lodged against unknown alleging therein some cyber fraud to the tune of Rs. 34,00,000/- is said to have taken place with the first informant. During investigation, name of the applicant has surfaced in the statement of the one bank officer in which he has stated that the applicant entered the ATM centre and he is said to have changed the mobile number of the account of the first informant and thereby, he is said to have withdrawn the amount from the bank account of the first informant on various dates, however, it is submitted that no amount has been credited to the bank of the applicant. The applicant has been languishing in jail since 18.10.2025 and he is having no criminal history and till date only one witness has been examined and the trial is not likely to be concluded in near future.

6. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of ***Kapil Wadhawan (supra)*** as well as guideline of this Court in the case of ***Maya Tiwari Vs. State of U.P.*** reported in 2024 SCC Online All 6765 regarding grant of bail and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is

entitled to be enlarged on bail.

7. Accordingly, the present application is **ALLOWED**.

8. Let the applicant- **Pradeep Singh** involved in the aforementioned crime be released on bail, on his furnishing a personal bond of Rs. 2,00,000/- and two sureties each in the like amount of to the satisfaction of the court concerned, with the following conditions:-

(i) The applicant shall not directly or indirectly make any 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 to any police officer or tamper with the evidence.

(ii) The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.

(iii) The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

(iv) The applicant shall attend in accordance with the conditions of the bond executed by him.

9. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

10. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

11. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

12. Office is directed to send a copy of this order to the applicant through **concerned Jail Superintendent** via e-mail or e-prison portal within 24 hours in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4**

of 2021 decided on 31.01.2023 reported in (2024) 10 SCC 685.

13. However, the learned trial Court is directed to expedite the trial of the case as expeditiously as possible, preferably within a period of one year and the applicant is directed to cooperate in the trial.

(Jitendra Kumar Sinha,J.)

November 5, 2026
Abhishek

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