



2026:AHC:104166

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 8649 of 2026**

Akash

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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Counsel for Applicant(s) : A.T. Pandey  
Counsel for Opposite Party(s) : G.A.

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**Court No. - 68**

**HON'BLE ASHUTOSH SRIVASTAVA, J.**

Heard Shri Sandeep Kumar Shukla, Advocate, under the authority of Shri A.T. Pandey, learned counsel for the applicant and Shri Bijendra Kumar, learned A.G.A. for the State and perused the record.

The present bail application has been filed by the applicant Akash, with a prayer to enlarge him on bail in Case Crime No. 43 of 2025, under Sections 347 (1) BNS, Section 8/21, 23, 29 of NDPS Act, and under Section 63 of Copyright Act, Police Station-Thuthibari, District-Maharajganj, during pendency of trial.

Learned counsel for the applicant submits that the accused applicant is innocent. He has been falsely implicated in the present case and is languishing in jail since 05.07.2025. Learned counsel for the applicant submits that first information report was lodged against three named persons including the applicant with the allegation that on an information of smuggling of drug injection the police party tried to stop a pulsar motor cycle, chased and arrested two persons namely Awadh Bihari and Gauri Yadav, whereas, one person fled away from the spot. Learned counsel for the applicant submits that the applicant was not arrested on the spot. His name has been surfaced in the statement of the co-accused arrested on the spot. The applicant was arrested on 05.07.2025 from Mahrajganj Bus Stand and nothing has been recovered from the possession or his pointing out. Criminal antecedents of three cases has been properly explained in paragraph no. 11 of the affidavit filed in support of bail application and there is no likelihood of his fleeing from course of justice or tampering

with evidence in case of release on bail. Hence, bail has been prayed for.

Per contra, learned A.G.A. has opposed the bail prayer of the applicant but could not dispute the aforesaid facts.

Considering the nature of the offence, material/evidence brought on record, complicity of the accused, severity of punishment, the submissions made by the learned counsel for the parties, the Court is of the view that the applicant has made out a case for bail. The bail application is allowed.

Let the applicant-*Akash*, involved in aforesaid case crime be released on bail on his furnishing a personal bond and two local sureties each of the like amount to the satisfaction of the court concerned, subject to the following conditions:-

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

**(Ashutosh Srivastava,J.)**

**May 6, 2026**  
Deepak/