



2026:AHC:165336

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 26267 of 2026

Lalit Mohan Awasthi

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Bhupendra Pal
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE JAI PRAKASH TIWARI, J.

1. Heard learned counsel for the applicant and learned AGA for the State-respondent and perused the record of the case.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 01 of 2026, under Sections 338, 3(5) BNS, Police Station- Babupurwa, District- Kanpur Nagar, during pendency of the trial in the court below.

3. Learned counsel for the applicant submitted that the applicant is absolutely innocent and has been falsely implicated in the present case due to some ulterior motive. It is next submitted that applicant is having no concern with the allegations levelled against him and he has not committed any offence as alleged by prosecution. It is next submitted that the applicant neither provide forged mark-sheet nor taken any money from the informant and he had not known to the co-accused Shailendra Kumar. Applicant is 60 years old person and he is suffering from mental diseases and his treatment is going on. No case is made out against the applicant under aforesaid sections. He has further submitted that the applicant was on bail in present Case Crime No. 1 of 2026, under Sections 318(4), 336(3), 340(2) BNS by court below vide order dated 06.03.2006. It is next submitted that without completing fair investigation, the investigating officer has submitted charge sheet against the applicant and his wife as well as other co-accused persons. It is further submitted that co-accused Shailendra Kumar has been granted bail by this Bench vide order dated 08.07.2026 passed in Crl. Misc. Bail Application No. 23066 of 2026. Applicant has no criminal history except the

present case. He next submitted that the applicant is languishing in jail since 27.05.2026. It is also submitted that the applicant undertakes that he will not misuse the liberty, if granted. It has also been pointed out that in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial.

4. The prayer for bail has been vehemently opposed by learned A.G.A.

5. Keeping in view the nature of the offence, evidence, complicity of the accused, severity of the punishment, and submissions of learned counsel for the parties, this Court is of the view that the applicant is entitled to be enlarged on bail during the pendency of the trial.

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

7. Let applicant, **Lalit Mohan Awasthi** be released on bail in the aforesaid case on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of the court concerned subject to the following conditions:-

(i). The applicant will not tamper with the evidence during the trial.

(ii). The applicant will not pressurize/ intimidate the prosecution witness.

(iii). The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.

(iv). The applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(v). 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.

8. It is further directed that the identity, status and residence proof of the sureties be verified by the authorities concerned before they are accepted.

9. In case of breach of any of the above conditions, the trial court will be at liberty to cancel the bail.

10. 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.

August 5, 2026
v.k. updh.

(Jai Prakash Tiwari,J.)