



2026:AHC:165814

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 26815 of 2026

Ravindra Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Abhishek Kumar Saroj, Nagendra Bahadur Singh, Satya Man Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant and Sri Nagendra Mishra, learned Brief Holder for the State-opposite party. Perused the material available on record.

2. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 285 of 2025, under Sections 3(5), 318(4), 111, 336(3), 338, 339, 340(2) B.N.S., Police Station- Kandhrapur, District- Azamgarh, during the pendency of the trial.

3. Learned counsel for the applicant submits that the applicant was not named in the first information report. The incident is alleged to have occurred on 03.09.2025, whereas the first information report was lodged on 13.09.2025. The applicant has no concern with the firms styled as M/s Vidhya Traders, M/s Abhiraj Treding, M/s Muni Gee Transport Company and M/s Maa Ambey Scrap Mart. The name of the applicant was neither disclosed by the drivers of the two vehicles namely, Vijay Kumar and Vedveer, who were arrested at the spot nor the CDR of the mobile phone of the applicant shows that he was not in contact with the aforesaid drivers. It is next contended that there is no direct, indirect involvement or participation of the applicant in the alleged offence. The applicant has been implicated in the present case solely on the basis that he was implicated in Case Crime No. 690 of 2025, under Sections 318(4), 338, 336(3), 340(2) and 3(5) of the B.N.S., Police Station Civil Lines, District Moradabad. It is further contended that the applicant has neither forged any document nor indulged in evasion of GST. It is further submitted that the bank accounts linked with the four firms do not belong to the applicant. Prior to the present case, the applicant was not having any criminal antecedents. However, after his arrest he has been implicated in other cases, the details whereof has been explained in paragraph no.50 of the affidavit. 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 29.04.2026. Criminal history of the applicant has been explained in paragraph no.50 of the bail application and in case, he is enlarged on bail, he will not misuse the said liberty.

4. Learned AGA has opposed the prayer for bail but could not satisfactorily

dispute the aforesaid submissions from the record.

5. Having heard counsel for the parties and having perused 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 bank accounts linked with the four firms do not belong to the applicant. At this stage, there is no corroborative evidence to link the applicant with the alleged offence.

6. In so far as criminal antecedents of the applicant is concerned, it is not the case of the State that applicant might tamper with or otherwise adversely influence the investigation, or that he might intimidate witnesses before or during the trial. The State has also not placed any material that applicant in past attempted to evade the process of law. In the opinion of this Court, if the accused is otherwise found to be entitled to bail, he cannot be denied bail only on the ground of criminal history, no exceptional circumstances on the basis of criminal antecedents have been shown to deny bail to accused, hence, the Court does not feel it proper to deny bail to the applicant just on the ground that he had criminal antecedent.

7. In **Ash Mohammad Vs. Shiv Raj Singh, (2012) 9 SCC 446**, the Apex Court in para 30 has observed:-

"We may hasten to add that when we state that the accused is a history-sheeter we may not be understood to have said that a history-sheeter is never entitled to bail. But, it is a significant factor to be taken note of regard being had to the nature of crime in respect of which he has been booked."

8. In the case of **Prabhakar Tewari Vs. State of U.P. and another, 2020 (11) SCC 648**, the Hon'ble Supreme Court has observed that pendency of several criminal cases against an accused may itself cannot be a basis for refusal of bail.

9. Further, the applicant has remained confined for more than ten months, there is no hope of early conclusion of trial and without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

10. Let the applicant- **Ravindra Kumar**, involved in the aforesaid case crime be released on bail on furnishing a personal bond and two heavy sureties (in view of the criminal history) each in the like amount to the satisfaction of the 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;

(iii) shall not pressurize the prosecution witnesses.

(iv) shall mark his presence at the concerned police station on first Sunday of every month between 11:00 am to 12:00 noon.

11. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

August 7, 2026

Abhishek

(Vivek Varma,J.)