



2026:AHC:168891

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 27166 of 2026

Girish Mishra

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Manish Tiwari, Nitish Shakya, Saurabh
Tripathi, Sr. Advocate
Counsel for Opposite Party(s) : G.A.

Court No. - 70

HON'BLE JAI PRAKASH TIWARI, J.

Supplementary affidavit filed today is taken on record.

Heard learned counsel for the applicant, learned AGA for the State and perused the record.

The instant application has been filed seeking release of the applicant on bail in Case Crime No. 140 of 2026, under Section 305(b) of BNS, 2023, Police Station Kotwali Nagar, District Hamirpur, during the pendency of trial.

It is argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the present case due to ulterior motives. It is submitted that as per the allegations of the informant, the applicant, while posted as a Sub-Inspector, took a lift in the truck of the informant, to which the informant agreed. It is further alleged that, while alighting from the truck, the applicant took away an amount of Rs. 20,000/- belonging to the informant. Thereafter, the applicant was apprehended by the truck driver and taken to the police station. Learned counsel for the applicant submits that the applicant is a police official and was discharging his duties as a Sub-Inspector at the relevant point of time and that only about one year of service remains before his retirement. It is further submitted that the informant, in his own handwriting, entered into a compromise/settlement dated 06.07.2026 with the applicant, which prima facie belies and casts doubt upon the allegations made in the FIR. It is also submitted that the applicant has no criminal history and has been

languishing in jail since 06.07.2026. Learned counsel further submits that the applicant is not required for any further custodial interrogation and that there is no likelihood of his absconding or tampering with the prosecution evidence. It is lastly submitted that, in the event the applicant is released on bail, he shall not misuse the liberty of bail. Therefore, it is prayed that the applicant may kindly be enlarged on bail.

Per contra, learned AGA, however, opposed the prayer for bail.

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

Let the **applicant-Girish Mishra** be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

- (i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.
- (ii) The applicant shall not directly or indirectly, make 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 any police officer or tamper with the evidence.
- (iii) The applicant shall not indulge in any criminal and anti-social activity.

In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

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 12, 2026
Brijesh

(Jai Prakash Tiwari,J.)