



2026:AHC:164385

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 27454 of 2026

Rajju @ Nem Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Kameshwar Singh, Sudhanshu Kumar Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 70

HON'BLE JAI PRAKASH TIWARI, J.

1. Heard learned counsel for the applicant, learned A.G.A. and perused the record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 122 of 2026, under Sections 319(2), 338, 336(3), 340(2), 318(4) BNS, Police Station- Kotwali Nagar, District- Banda, during pendency of the trial in the court concerned.

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. Applicant is not named in the FIR and his name was surfaced in the present matter during the course of investigation as conspirator. The applicant is neither the purchaser, the seller, nor a witness to the alleged sale deed. 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 co-accused Afreen Khan, the sister of the applicant, is the purchaser of the property in question and she has been granted interim anticipatory bail by co-ordinate Bench of this Court vide order dated 22.05.2026 passed in Criminal Misc. Anticipatory Bail Application U/s 482 BNSS No. 5009 of 2026. It is also submitted that co-accused Azam Khan @ Raheja has been granted bail by this Court in Criminal Misc. Bail Application No. 24757 of 2026 vide order dated 28.07.2026. Apart from the present case, subsequently, the applicant has been implicated in four other cases and

the same has been explained in the affidavit filed in support of the bail application. The applicant is in jail since 26.03.2026. Therefore, the applicant is entitled for bail. Learned counsel for the applicant has further submitted that if the applicant is released on bail, the applicant would not misuse liberty of bail and is ready to co-operate in the trial.

4. Learned A.G.A. has opposed the prayer for bail but he has not disputed the above contention made by the learned counsel for the accused-applicant.

5. Considering the facts and circumstances of the case, perusing the record and also considering the nature of allegations, arguments advanced by the learned counsel for the parties and without expressing any opinion on the merit of the case, I find it to be a fit case for granting bail. Accordingly, the bail application is **allowed**.

6. Let applicant **-Rajju @ Nem Kumar** be released on bail in the aforesaid case crime number on furnishing a personal bond and two reliable sureties of the like amount to the satisfaction of the court concerned subject to following conditions, which are being imposed in the interest of justice:-

(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.

7. 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.

8. 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.

(Jai Prakash Tiwari,J.)

August 6, 2026

S.K.