



2026:AHC:165731

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 27598 of 2026

Deepak Kumar Urf D. K.

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Rajesh Kumar Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Rajesh Kumar Singh, learned counsel for the applicant and Sri Vijay Kumar, learned AGA-I for the State.
2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 16 of 2026, under Sections 190, 191(2), 191(3), 103(1), 3(5), 61(2)Ka BNS, Police Station Trans Yamuna, District Agra during pendency of the trial.
3. Learned counsel for the applicant submits, nobody was named in the FIR but during investigation one Vinay was made accused and when his statement was recorded by the police then he disclosed the name of applicant. He further submits, in the present matter it reflects, applicant has been made accused with the aid of Section 61(2) BNS but except the statement of co-accused and confessional statement of applicant before police, there is no cogent evidence even of hatching conspiracy against the applicant on record.
4. He further submits, even after considering the entire facts of the case co-accused Rohit @ Fauji has been released on bail by this Court vide order dated 21.07.2026 passed in Criminal Misc. Bail Application No. 20371 of 2026 and on facts case of applicant is at par with him.
5. He further submits, however, apart from the present case applicant is having criminal history of one another case but his criminal history has been explained in the instant bail application and in the present matter he is in jail since 03.06.2026.

6. Per contra, learned AGA opposed the prayer for bail but could not dispute the argument on facts advanced by learned counsel for the applicant.

7. I have heard learned counsel for the parties and perused the record of the case.

8. It reflects, FIR of the present case was lodged against unknown persons but during investigation applicant has been made accused through the statement of co-accused Vinay recorded by the police. Further, however as per prosecution, applicant involved in hatching conspiracy along with other accused but it reflects, except the statement of co-accused and confessional statement of applicant before police there is no other evidence in this regard against the applicant on record.

9. Further, even co-accused Rohit @ Fauji has been released on bail by this Court and case of applicant is at par with him.

10. Further, however, apart from the present case applicant is having criminal history of one another case but his criminal history has been explained in the instant bail application and in the present matter he is in jail since 03.06.2026.

11. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

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

13. Let the applicant - **Deepak Kumar @ D. K.** 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.

14. 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.

15. 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 7, 2026
AK Pandey

(Sameer Jain,J.)