



2026:AHC-LKO:40635

**HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW**

**CRIMINAL MISC. BAIL APPLICATION No. - 4039 of 2026**

Vivek Kumar @ Vishal

.....Applicant(s)

Versus

State Of U.P. Thru. Secy. Home Lko.

.....Opposite  
Party(s)

---

|                               |   |                |
|-------------------------------|---|----------------|
| Counsel for Applicant(s)      | : | Narendra Gupta |
| Counsel for Opposite Party(s) | : | G.A.           |

---

**Court No. - 11**

**HON'BLE RAJEEV SINGH, J.**

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. The present bail application has been filed by the applicant with a prayer to release him on bail in Case Crime No. 203 of 2025 under Sections 340(2), 336(3), 338, 318(4), 3(5) BNS, Police Station Kotwali Nagar, District Sitapur.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in the present case on the ground that he was employee of one of the firm, but he was not aware about the registration on the basis of his document and not even a single penny related to the alleged input tax credit is found in the account of the applicant. He also submits that the applicant is in jail since 28.02.2026. The co-accused, namely, Ashish @ Sona has already been enlarged on bail by this Court in Criminal Misc. Bail Application No. 3675 of 2026 vide order dated 21.05.2026. He lastly submits that the applicant is ready to cooperate in the proceedings, hence, he may be enlarged on bail.
4. Learned A.G.A. vehemently opposes the prayer of the applicant. However, he does not dispute the fact that co-accused has already been enlarged on bail.
5. Considering the submissions of learned counsel for the parties and

going through the contents of the bail application as well as other relevant material, it is evident that co-accused has already been enlarged on bail. Therefore, it is a fit case for bail.

6. The bail application is ***allowed***.

7. Let the applicant- **Vivek Kumar @ Vishal** who is involved in aforementioned case crime be released on bail on his furnishing a personal bond of **Rs. 20,000/-** and two sureties each in the like amount, subject to following conditions:

(i) The applicant shall not commit or participate in any offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(ii) 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.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the Trial Court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(iv) The applicant shall remain present before the Trial Court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the Trial Court may proceed against him under Section 229-A I.P.C./269 B.N.S.

(v) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C./84 B.N.S.S. may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the Trial Court shall initiate proceedings against him, in accordance with law, under Section 174-A I.P.C./209 B.N.S.

(vi) The applicant shall remain present, in person, before the Trial Court

on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C./351 B.N.S.S. If in the opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

**(Rajeev Singh,J.)**

**June 9, 2026**

Arpan