



2026:AHC:179011

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 29812 of 2026

Ajay Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Mehdi Abbas
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE JAI PRAKASH TIWARI, J.

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. 148 of 2025, under Sections 351(3), 340(2), 338, 336(3), 318(4) BNS, Police Station Ahar, District Bulandshahr, during the pendency of trial.

It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the present case due to ulterior motive and mala fide intention. It is submitted that the brief facts of the case are that the applicant had sold an area of 8.47 Bighas of land, comprising the plots in question, to two individuals through duly registered sale deeds. It is alleged that the applicant committed fraud upon the first informant by executing a forged sale deed. It is further submitted that the applicant has received a sum of Rs. 12,35,000/- through cheque from the first informant and a further sum of Rs. 8,59,000/- through RTGS from the brother-in-law of the first informant, towards the transaction in question. At this stage, it is submitted that the applicant is ready and willing to refund the actual outstanding amount due to the informant within a period of two months. It is next submitted that the applicant is the sole bread earner of his family and that his continued incarceration is causing grave hardship to his dependent family members. It is also submitted that no recovery whatsoever has been made from the

possession of the applicant, and the alleged recovery shown by the Investigating Officer is false, fabricated and has been made only with a view to strengthen the prosecution case. It is further submitted that the criminal history of the applicant has been duly explained in Paragraph No. 22 of the present bail application. The applicant has been languishing in jail since 06.03.2026 and has already undergone a substantial period of incarceration. It is lastly submitted that in case, the applicant is released on bail, he undertakes to cooperate with the trial, shall not misuse the liberty of 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-Ajay Kumar** 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.

(Jai Prakash Tiwari,J.)

August 24, 2026

Brijesh