



2026:AHC:178442

**HIGH COURT OF JUDICATURE AT ALLAHABAD**  
**CRIMINAL MISC. BAIL APPLICATION No. - 29834 of 2026**

Ravindra Nagar

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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|-------------------------------|---|--------------------------------------|
| Counsel for Applicant(s)      | : | Ranjana Pandey, Vishnu Pratap Pandey |
| Counsel for Opposite Party(s) | : | G.A.                                 |

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**Court No. - 65**

**HON'BLE SAMEER JAIN, J.**

1. Heard Sri Rajesh Kumar Mishra, Advocate holding brief of Sri Vishnu Pratap Pandey, learned counsel for the applicant and Sri Rajiv Dhar Dwivedi, learned AGA for the State respondent.
2. The instant second application has been filed seeking release of the applicant on bail in Case Crime No. 104 of 2026, under Sections 8/20 of NDPS Act, Police Station Surajpur, District Gautam Buddh Nagar, during pendency of the trial in the court below.
3. Learned counsel for the applicant submitted that this is second bail application filed on behalf of the applicant and his first bail application has been dismissed by this Court vide order dated 29.5.2026 after considering the provisions of section 37 of NDPS Act as according to the prosecution, applicant was driver and owner of the vehicle and from his vehicle huge commercial quantity of ganja of about 80 kg was recovered but he is pressing the instant second bail application on the sole ground that after rejection of the first bail application of the applicant, co-accused Monti has been released on bail by the co-ordinate Bench of this Court vide order dated 29.7.2026 and his bail order has been annexed at page 64 of the paper book and case of applicant is at part with him.
4. He further submitted that applicant is not having any other criminal history of NDPS Act and therefore, on the ground of parity applicant may be enlarged on bail.
5. Per contra, learned AGA opposed the prayer for bail and submitted that

this is second bail application filed on behalf of the applicant and his first bail application has been dismissed by this Court with a very detailed order dated 29.5.2026 after considering the fact that applicant is driver and owner of the vehicle and from his vehicle huge commercial quantity of ganja of more than 80 kg was recovered.

6. He further submitted that however, it reflects, after rejection of the first bail application of the applicant, co-accused Monti has been released on bail by the co-ordinate Bench of this Court but as applicant is owner and driver of the vehicle, therefore, his case is distinguishable from the case of co-accused Monti.

7. He further submitted that therefore, considering the facts of the case, applicant may be released on bail.

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

9. This is second bail application filed on behalf of the applicant and his first bail application has been dismissed on 29.5.2026 by this Court after considering the provisions of Section 37 of the NDPS Act as according the prosecution from the vehicle of the applicant 80 Kg ganja was recovered which was huge commercial quantity.

10. The instant second bail application has been pressed on the sole ground that after rejection of the first bail application of applicant, co-accused Monti has been released on bail by the co-ordinate Bench of this Court and he was also sitting in the car alongwith the applicant at the time of alleged recovery but applicant is driver and owner of the vehicle, therefore, case of applicant is distinguishable from him and therefore, from the order of the co-accused Monti no benefit could be extended to the applicant.

11. Further, even for the alleged offences minimum punishment is ten years and applicant is in jail only since February, 2026.

12. Therefore, considering the facts and circumstances of the case, discussed above, in my view, applicant is not entitled to be released on bail.

13. Accordingly, the instant second bail application is devoid of merit and therefore, the same stands **rejected**.

14. 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 24, 2026**  
Ankita

**(Sameer Jain,J.)**