



2026:AHC:178730

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 29951 of 2026

Akash Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ankit Srivastava, Sr. Advocate, Umesh
Chandra Shukla
Counsel for Opposite Party(s) : G.A.

Court No. - 70

HON'BLE JAI PRAKASH TIWARI, J.

1. Heard learned counsel for the applicant and learned AGA for the State-respondent and perused the record of the case.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 270 of 2017, under Sections 406, 467, 468, 471, 120B IPC, Police Station- Mughal Sarai, District- Chandauli, during pendency of the trial in the court below.
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. 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 the applicant is not named in the FIR. His name has surfaced during course of investigation. He further submitted that as per the alleged allegation informant transferred Rs. 16,88,056/- in the ban account of the applicant and further on the direction of the applicant, the informant transferred Rs. 12,50,000/- in 'Company's bank account. In the meanwhile the compromise took place between the informant and the applicant through his father Om Prakash Bhagat as because the applicant is in jail. As per the terms and conditions of the compromise dated 29.07.2026, the informant agreed to settle his dispute with the applicant in lieu of Rs. 25,00,000/-, and further agreed to withdraw the present case against the applicant. Applicant has no criminal history. He next submitted that the

applicant is languishing in jail since 07.07.2026. He further submitted that co-accused Deepak Jaiswal has been granted bail by coordinate Bench of this Court, passed in Crl. Misc. Bail Application No. 25756 of 2018, vide order dated 23.07.2028. It is also submitted that the applicant undertakes that he will not misuse the liberty, if granted. It has also been pointed out that in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial.

4. The prayer for bail has been vehemently opposed by learned A.G.A.

5. 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.

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

7. Let applicant, **Akash Kumar** be released on bail in the aforesaid case on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of the court concerned subject to the following conditions:-

(i). The applicant will not tamper with the evidence during the trial.

(ii). The applicant will not pressurize/ intimidate the prosecution witness.

(iii). The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.

(iv). The applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(v). 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.

8. It is further directed that the identity, status and residence proof of the

sureties be verified by the authorities concerned before they are accepted.

9. In case of breach of any of the above conditions, the trial court will be at liberty to cancel the bail.

10. 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

v.k. updh.