



2026:AHC:179357

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 29971 of 2026

Pushpendra Kumar @ Raja

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Gautam, Mohd. Shamim
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. 138 of 2026, under Sections 308(5), 112, 317(2) BNS, Police Station Kotwali Kalpi, District Jalaun, during the pendency of trial.

It is argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the present case due to ulterior motive. It is submitted that the FIR was initially lodged against unknown persons. It is alleged therein that, through the "Walla" dating application, the informant came into contact with an unknown person and when he went to meet him, the said person along with his unknown associates allegedly made an indecent video of the informant, snatched his mobile phone and cash and thereafter started blackmailing him. It is submitted that neither in the mobile phone of applicant, there is any dating app Walla, nor any such naked video of informant is in the mobile phone of the applicant. There is no independent witness to the alleged recovery. No recovery of any stolen property has been made from the possession of the applicant. Learned counsel submits that the applicant has not committed the alleged offence and that, at this stage, there is no credible evidence on record connecting the applicant with the commission of the alleged offence. Co-accused of the applicant namely Pushpendra alias Baba has

already been granted bail by this Court vide order dated 20.08.2026 passed in Criminal Misc. Bail Application No. 29531 of 2026. Applicant has no previous criminal history. It is further submitted that the applicant has been languishing in jail since 23.06.2026 and that, in case he is released on bail, he will not misuse the liberty of bail and will cooperate with the trial.

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-Pushpendra Kumar alias Raja** 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.

August 25, 2026
Brijesh

(Jai Prakash Tiwari,J.)