



2026:AHC:175738

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 5812 of 2026

Monu Urf Jai Prakash

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Alok Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant and Sri Shashank Shekhar Pandey, learned AGA for the State-opposite party. Perused the material available on record.

2. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No.858 of 2025, under Sections 318(4), 319(2), 338, 336(3), 340(2), 111(3) B.N.S. and Section 66(C), 66(D) Information Technology (Amendment) Act, Police Station- Jagdishpura, District- Agra, during the pendency of the trial.

3. Counsel for the applicant submits that the applicant has been falsely implicated in the present case. The alleged mobile nos. 7078965068 and 9904772429 from which calls were made to one Kajal and Mahendra do not belong to the applicant. No amount with regard to the alleged transaction has been credited to the bank account of the applicant. The applicant is not beneficiary of any illicit transaction. The name of the applicant was disclosed by co-accused Rajesh Sharma while in police custody. The said statement, insofar as it implicates the applicant, is unreliable. Recovery of a Redmi mobile phone and Rs.3500/- has been shown from the applicant. The said Indian currency and mobile

phone belong to the applicant. The recovered mobile phone and Indian currency do not link the applicant with any offence. There is no independent witness to the alleged recovery. Further, the co-accused Rajesh Sharma has been granted bail by this Court vide order dated 3.8.2026 passed in Criminal Misc. Bail Application No.3622 of 2026 (Rajesh Sharma vs. State of U.P.). The applicant is neither a member of any organized crime syndicate nor he acted on behalf of such syndicate. At this stage, there is no corroborative evidence to link the applicant with the offence. The applicant is in jail since 14.12.2025 having no criminal history and in case, he is enlarged on bail, he will not misuse the said liberty.

4. Learned AGA for the State opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having heard counsel for the parties and having perused the record this Court prima facie finds that the alleged mobiles numbers from which calls were made to one Kajal and Mahendra do not belong to the applicant. The name of the applicant was disclosed by co-accused Rajesh Sharma while in police custody. The recovered mobile phone and Indian currency do not link the applicant with any offence. There is no independent witness of the alleged recovery. The co-accused Rajesh Sharma has been granted bail by this Court. At this stage, there is no corroborative evidence to link the applicant with the offence. Further, the applicant has remained confined for more than eight months and there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or delay the trial or intimidate the witness, without commenting on merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant Monu Urf Jai Prakash involved in the aforesaid case crime be released on bail on furnishing a personal

bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that he:

- (i) shall appear on the date fixed by the trial court;
- (ii) shall not tamper with the prosecution evidence;
- (iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

August 19, 2026
S.S.

(Vivek Varma,J.)