



2026:AHC-LKO:40730

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 3429 of 2026

Taufiq @ Tufail Ahmad

.....Applicant(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Deptt. Of
Home Lko.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Gulam Mustafa
Counsel for Opposite Party(s)	:	G.A., Pratibha Maurya

Court No. - 11

HON'BLE RAJEEV SINGH, J.

1. Vakalatnama filed by Shri Kunwar Virendra Singh, Shwetabh Singh, and Jitendra Tiwari, Advocates on behalf of complainant is taken on record.
2. Heard learned counsel for the applicant, learned A.G.A. for the State and learned counsel for the complainant.
3. The present bail application has been filed by the applicant in F.I.R. No. 122 of 2026, under Sections 308(2), 308(5), 329(3), 351(3), 352 BNS, Police Station Kotwali, District Unnao with the prayer to enlarge him on bail.
4. The submissions of learned counsel for the applicant are that the applicant is innocent person and has been falsely implicated in the case and is in jail since 25.03.2026.
5. Learned counsel for the applicants submit that there was a dispute related to the plot, but on the basis of concocted facts, the F.I.R. was lodged on the basis of exaggerated facts. It is further submitted that the applicant was earlier implicated in 8 cases, out of which, in 2 cases, he is on bail and one case has wrongly been shown. It is also submitted that custodial interrogation is not necessary. In such circumstances, applicant is entitled for bail. It is also submitted that the applicant will never misuse the liberty of

bail and shall fully cooperate in the investigation.

6. Learned A.G.A. as well as learned counsel for the complainant vehemently oppose the prayer for grant of bail to the applicant and submit that the bail application is liable to be dismissed.

7. Considering the arguments advanced by the learned counsel for the applicant, learned A.G.A., learned counsel for the complainant and going through the contents of F.I.R. as well as other relevant documents, it is evident that there is a dispute of some plot in between the parties. In such circumstances, this Court is of the view that the applicant is entitled to be released on bail.

8. Application stands allowed.

9. Let applicant -Taufiq @ Tufail Ahmad be released on bail in F.I.R. No. 122 of 2026, on his furnishing personal bond and two reliable sureties each of the like amount to the satisfaction of the court concerned subject to following conditions:-

(i) 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.

(ii) 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.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(iv) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 BNS.

(v) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 84 BNSS may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 BNS.

(vi) The applicant shall remain present, in person, before the trial court on dates fixed for (a) opening of the case, (b) framing of charge; and (c) recording of statement under Section 351 BNSS. If in the opinion of the trial court, absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

10. Any violation of above conditions will be treated misuse of bail and learned Court below will be at liberty to pass appropriate order in the matter regarding cancellation of bail.

(Rajeev Singh,J.)

June 10, 2026
VKS