



2026:AHC:128603

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 12301 of 2026

Harsh Arya

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Mourya Azad Vijay Shankar,
Prem Shankar Kushwaha
Counsel for Opposite Party(s) : G.A.

Court No. - 70

HON'BLE TEJ PRATAP TIWARI, J.

1. Heard learned counsel for the applicant as well as the learned A.G.A for the State and perused the material placed on record.
2. The instant bail application has been filed on behalf of the applicant with a prayer to release him on bail in Case Crime No.18 of 2026, under Sections 318(4), 336, 338, 61(2) of BNS and Sections 66C and 66D of I.T. Act, Police Station-Phugana, District-Muzaffarnagar, during pendency of trial.
3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the present case. It has further been submitted that co accused Akshay has already been granted bail by a coordinate bench of this Court vide order dated 18.06.2026 passed in Criminal Misc. Bail Application No. 14579 of 2026. He has been languishing in jail since 18.02.2026 having no criminal history to his credit. It is also submitted that, in the event of his being enlarged on bail, he will not misuse the liberty of bail and will cooperate with the trial proceedings.
4. Per contra, learned A.G.A. has opposed the prayer for bail of the applicant by he could not rebut the fact that co-accused has already been released on bail.

5. Upon considering the totality of facts, nature and the evidence reflected from record and without expressing any opinion on merits of the case, I find it to be a fit case for bail. Hence, the present bail application is **allowed**.

6. Let the applicant- **Harsh Arya** involved in the aforesaid case crime be released on bail on his 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 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.

(ii) The applicant shall not pressurize/intimidate the prosecution witnesses.

(iii) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of B.N.S.S.

(iv) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in the trial court.

(v) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel.

7. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

8. It is clarified that anything said in this order is limited to the purpose of determination of this bail application and will in no way be construed as an expression on the merits of the case. The trial court shall be absolutely free to arrive at its

independent conclusions on the basis of evidence led
unaffected by anything said in this order.

June 22, 2026

Gss

(Tej Pratap Tiwari,J.)