



2026:AHC:128596

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 13099 of 2026

Prem Chandra

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Beerendra Pratap Singh, Indra Kumar Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67

HON'BLE SAMEER JAIN, J.

1. Heard Sri Indra Kumar Singh, learned counsel for the applicant and Sri Rajeev Dhar Dwivedi, learned AGA for the State.
2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 01 of 2026, under Sections 7 of P.C Act, Police Station Anti Corruption, District Kanpur Nagar during pendency of the trial.
3. Learned counsel for the applicant submits, applicant is Police Sub-Inspector and was posted as Chauki Incharge at GRP Anwarganj Railway Station. He further submits, as per allegation, complainant was Supervisor of Tejas Construction Company which was doing work of installation of Tiles and Stones at Railway Station and applicant for disposal of debris made demand of Rs. 5,000/- from him and on the complaint made by complainant trap team apprehended the applicant and even bribe money of Rs. 5,000/- was recovered from his possession but entire allegation leveled against applicant is totally false.
4. He further submits, as complainant was Supervisor of construction company which was having authority to do construction work, therefore, there was no occasion for applicant to make demand of bribe from him.
5. He next submits, actually the company was not doing its job diligently and company of applicant were spreading dirt at platform and therefore applicant warned him and when complainant did not change himself then applicant challaned him under Section 34 of Police Act/ Section 290 IPC on 19.12.2025 and challan of complainant has been annexed at page-134 of the paper-book and only due to this reason complainant was annoyed with the applicant and he moved false application and thereafter with the connivance of trap team applicant has been apprehended.
6. He next submits, applicant is a honest public servant and his track record is clean and before present case he was not having any criminal history to his credit.

7. He next submits, even from the recovery memo it reflects, after the arrest of the applicant he was taken to police station and at police station entire formalities were completed and this fact cast doubt on the entire trap proceeding.

8. He next submits, investigation of the case has been concluded and applicant is in jail in the present matter since 12.01.2026 i.e. for almost six months.

9. Per contra, learned AGA opposed the prayer for bail and submits, applicant was Chauki Incharge and he not only made demand of bribe but bribe money was also recovered from his possession but could not dispute the fact that about 15 days before applicant challaned the complainant. Learned AGA also could not dispute the fact that after the arrest of the applicant entire legal formalities were conducted at police station. Learned AGA also could not dispute the fact that investigation of the case has been concluded and applicant is not having any criminal history and in the present matter applicant is in jail since 12.01.2026 i.e. for almost six months.

10. I have heard learned counsel for the parties and perused the record of the case.

11. However, as per allegation, applicant was posted as Chauki Incharge at GRP Anwarganj Railway Station and he made demand of bribe of Rs. 5,000/- from the complainant and even bribe money was also recovered from his possession but from the record it reflects, complainant moved complaint against him on 09.01.2026 and thereafter trap proceeding was conducted on 12.01.2026 but about 15 days before applicant had challaned the complainant as his company was not doing job fairly. Considering this fact, the argument advanced by learned counsel for applicant with regard to false implication of the applicant at this stage cannot be ruled out.

12. Further, even it reflects, after alleged arrest of the applicant entire legal formalities have been conducted at police station and neither trap memo was prepared at spot nor it reflects, video recording of alleged trap is on record.

13. Further, applicant is not having any criminal history and investigation of the case has been concluded. Further, for alleged offence maximum punishment is seven years and in the present matter applicant is in jail for almost six months.

14. Further, law is settled that unless proven guilty an accused is deemed to be innocent and bail application should not be dismissed either for punitive or preventive purpose.

15. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

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

17. Let the applicant - **Prem Chandra** 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.

18. 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.

19. 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.

June 22, 2026
AK Pandey

(Sameer Jain,J.)