



2026:AHC-LKO:41368

**HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW**

**CRIMINAL MISC. BAIL APPLICATION No. - 4242 of 2026**

Shivam Tiwari

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko.

.....Opposite  
Party(s)

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|-------------------------------|---|----------------|
| Counsel for Applicant(s)      | : | Ramakar Shukla |
| Counsel for Opposite Party(s) | : | G.A.           |

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**Court No. - 11**

**HON'BLE SUBHASH VIDYARTHI, J.**

1. Heard Sri Ramnagar Shukla, learned counsel for the applicant, Sri Hari Prasad, learned Additional Government Advocate for the State and perused the records.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 358/2025, under Sections 319(2), 318(4), 338, 336(3), 345(2), 340(2) BNS, Sections 3(2)(d), 3/7 Essential Commodities Act, Sections 29(1)(a), 29(1)(b), 29(1)(c) of Insecticides Act and Section 7, 19(c)(ii) of Fertilizer (Control) Order, Sections 63, 65 of Copy Right Act and Sections 102, 103, 104 of Trade Mark Act, Police Station Amethi, District Amethi.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged by the District Agriculture Officer, Amethi against the applicant and one Ram Ujagir Yadav stating that in pursuance of direction issued by the District Magistrate, District Agriculture Officer, Naib Tehsildar, Amethi and the police team raided the premises of Promod Alok Intermediate College, Amethi. Sri Ashish Jangda, Sri Kuldeep Kushwaha and Sri Bobby Kumar, representatives of True Buddy Consulting Pvt. Ltd. were also present during the raid. The co-accused Ram Ujagir Yadav was found filling up 1-kg packets of Regent Ultra of Bayer Company in a sack. He stated that he was a laborer and the material belonged to Shivam Tiwari (the applicant). 414 packets of Regent Ultra Insecticide of Bayer Company and 38 filled up packets, besides 443 rapers which appeared to be forged, were found from

the premises and the insecticide prima facie appeared to be of sub-standard quality. Ram Ujagir Yadav could not produce any document relating to the material.

4. On the basis of the statement of Ram Ujagir Yadav, the applicant has been made an accused in the present case and a charge sheet has been submitted on 16.04.2026.

5. In the affidavit filed in support of the bail application it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history.

6. The learned counsel for the applicant has submitted that the applicant has been implicated in the present case solely on the basis of the custodial statement of a co-accused person. The premises where the offending material was found is a room in a college and the petitioner has no concern with the same. He has further submitted that the substantive allegation is of violation of Copy Right and Trade Mark and the offences under the aforesaid Acts can be tried only on a complaint being filed by the competent authority and carry a maximum sentence of imprisonment up to 3 years. The offences under the Essential Commodities Act carry a maximum sentence of imprisonment up to 7 years.

7. The learned Additional Government Advocate has opposed the prayer for bail and he has submitted that the allegations against the applicant have been established during investigation and a charge sheet has been submitted on 16.04.2026.

8. Having considered the aforesaid facts and circumstances of the case and the submissions of the learned counsel for the applicant and keeping in view the fact that the applicant has no previous criminal history and he is languishing in jail since 19.01.2026 and the investigation already stands concluded and without making any observation, which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail in the aforesaid crime.

9. Accordingly, this bail application stands **allowed**.

10. Let the **applicant-Shivam Tiwari** 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 magistrate/court concerned, subject to following conditions:-

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court, unless his appearance is exempted by the learned trial court.

**(Subhash Vidyarthi,J.)**

**June 17, 2026**

Pradeep/-