



2026:AHC:167545

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 27851 of 2026

Nitin Gupta @ Golu

.....Applicant(s)

Versus

State Of U.P. And 2 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Priyanka Sharma
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE JAI PRAKASH TIWARI, J.

1. Heard learned counsel for the applicant, learned A.G.A. and perused the record.
2. The applicant is involved in Case Crime No. 937 of 2018 under Sections -147, 148, 353, 323, 427, 308, 324, 354 I.P.C., Police Station Etmaddaula District Agra.
3. Learned counsel for the applicant has submitted that the applicant is innocent and has been falsely implicated in the present case. It is submitted that during the COVID-19 pandemic, the applicant was released on parole. However, due to the poor financial condition of his family, the applicant was compelled to sell his house and shift to Agra in search of livelihood. Consequently, the summons and warrants issued by the learned court concerned were served at his previous address, due to which the applicant remained unaware of the proceedings initiated against him. It is further submitted that the applicant came to know about the proceedings initiated against him under Sections 82 and 83 Cr.P.C. through a common acquaintance. Thereafter, the applicant surrendered before the court concerned on 22.06.2026. There is no direct or indirect evidence against the applicant for commission of alleged offence. Nothing incriminating has been recovered from the possession of the applicant. There is no independent

public witness to prove the complicity of the applicant in the present case. The applicant has no concern with the alleged offence. The applicant is in jail since 22.06.2026. Therefore, the applicant is entitled for bail. Learned counsel for the applicant has further submitted that if the applicant is released on bail, the applicant would not misuse liberty of bail and is ready to co-operate in the trial.

4. Learned A.G.A. has opposed the prayer for bail but he has not disputed the above contention made by the learned counsel for the accused-applicant.

5. Considering the facts and circumstances of the case, perusing the record and also considering the nature of allegations, arguments advanced by the learned counsel for the parties and without expressing any opinion on the merit of the case, I find it to be a fit case for granting bail. Accordingly, the bail application is **allowed**.

6. Let applicant - **Nitin Gupta @ Golu** be released on bail in the aforesaid case crime number on furnishing a personal bond and two reliable sureties of the like amount to the satisfaction of the court concerned subject to following conditions, which are being imposed in the interest of justice:-

(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.

7. 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.

8. 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.

August 11, 2026

S.K.

(Jai Prakash Tiwari,J.)