



2026:AHC:174793

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 29305 of 2026

Awadhesh @ Baba

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sanjay Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE JAI PRAKASH TIWARI, J.

1. Supplementary affidavit has been filed today in the Court by learned counsel for the applicant. The same is taken on record.
2. Heard learned counsel for the applicant, learned A.G.A for the State and perused the record.
- 3.The instant application has been filed seeking release of the applicant on bail in Case Crime No. 174 of 2026, under Sections 303(2), 317(2), 317(4) BNS, Police Station- Narkhi, District- Firozabad, during pendency of the trial in the court concerned.
4. Learned counsel for the applicant submitted that the applicant is absolutely innocent and has been falsely implicated in the present case due to some ulterior motive. The present FIR has been lodged against unknown person with regard to theft of motorcycle of the informant. Name of the applicant surfaced in the present matter during investigation. It is next submitted that applicant is having no concern with the allegations levelled against him and he has not committed any offence as alleged by prosecution. It is next submitted that a false recovery of six motorcycles and etc. has been shown from the possession of the applicant and co-accused. There is no independent witness of the alleged recovery. There is criminal

history of nine other cases, which has been explained in paragraph no.6 of the affidavit. It is next submitted that the co-accused Rajesh @ Lalu has already been granted bail by this Court vide order dated 12.08.2026 passed in Criminal Misc. Bail Application No. 27097 of 2026. The applicant's case is identical to the co-accused and he is also entitled to bail on the ground of parity. The applicant is languishing in jail since 18.05.2026. It is also submitted that the applicant undertakes that he will not misuse the liberty, if granted. It has also been pointed out that in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial.

5. Learned A.G.A. opposed the prayer for bail but could not dispute the aforesaid fact as argued by learned counsel for the applicant.

6. Considering the submission of learned counsel for the parties, facts of the case, nature of allegation and period of custody, gravity of offence, without expressing any opinion on the merits of the case, the Court is of the opinion that it is a fit case for bail. Hence, the bail application is hereby **allowed**.

7. Let the applicant **-Awadhesh @ Baba** involved in the aforesaid case be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions:

(i). The applicant will not tamper with the evidence during the trial.

(ii). The applicant will not pressurize/ intimidate the prosecution witness.

(iii). The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.

(iv). 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.

(v). 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.

8. In case of breach of any of the above conditions, the court below shall be at liberty to cancel the bail.

August 19, 2026
S.K.

(Jai Prakash Tiwari,J.)