



2026:AH:5298

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 8060 of 2025

Bittu Kumar

.....Applicant(s)

Versus

State Of Uttar Pradesh

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Mani Yagyesh Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Shri Mani Yagyesh Tripathi, learned counsel for the applicant, Shri Arimardan Yadav, learned AGA for the State-respondent and perused the record.

This bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been moved on behalf of accused-applicant, Bittu Kumar, seeking enlargement on bail in Case Crime No. 1121 of 2022, under Sections 8/22 of NDPS Act, 1985 Police Station-Indirapuram, District-Ghaziabad, during pendency of trial.

Learned counsel for the applicant argued that the accused has been falsely implicated in the case wherein contraband 'alprazolam powder' measuring 120 gms has been recovered from the possession of accused applicant, which is slightly above the commercial quantity. The charge-sheet has been submitted in the case. Applicant has no criminal antecedent of N.D.P.S. Act and is languishing in jail since 01.09.2022. There is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has been prayed for.

Per contra learned A.G.A. has opposed the prayer for bail of the applicant, but could not dispute the aforesaid facts.

Considering all above facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima facie case, but without commenting on merit of case, a case for bail is made

out.

Accordingly, the bail application is **allowed**.

Let the accused-applicant, Bittu Kumar, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

January 8, 2026

MN/-

(Ashutosh Srivastava,J.)