



2026:AHC:5266

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 36165 of 2025

Abdul Salam

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Praveen Kumar Tripathi, Umesh Kumar Dubey
Counsel for Opposite Party(s)	: G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard S/Shri Praveen Kumar Tripathi, Umesh Kumar Dubey, learned counsel for the applicant, Shri Shashank Singh, Brief Holder, appearing 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, Abdul Salam, seeking enlargement on bail in Case Crime No. 96 of 2024, under Sections 8/20/22/60 of NDPS Act, Police Station-Rail Bazar, District-Kanpur Nagar, during pendency of trial.

Learned counsel for the applicant argued that the accused-applicant is innocent. The accused-applicant has been falsely implicated in the case wherein contraband 'charas' measuring 10 kg 240 gms has been recovered from the joint possession of accused applicant and co-accused from the bag which they were carrying at the time of arrest. Learned counsel for the applicant submits that similarly circumstanced co-accused Shadab alias Chandu has already been enlarged by coordinate Bench of this Court in Criminal Misc. Bail Application No. 440 of 2025, vide orders dated 23.07.2025. The applicant has no criminal antecedent except the present case and is languishing in jail since 07.06.2025. 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 fact that similarly circumstanced aforesaid co-

accused has already been granted bail by this Court.

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, Abdul Salam, 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.)