



2026:AHC:2860

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 40857 of 2025

Om Prakash And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Mary Puncha (Sheeb Jose), Mohd. Kalim
Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the applicants, Sri Rajesh Kumar Singh, 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 the accused-applicant seeking enlargement on bail in Case Crime No. 230 of 2025, under Sections 3/5(1) of the Uttar Pradesh Prohibition of Unlawful conversion of Religion Act, Police Station Ahraura, District Mirzapur.

Learned counsel for the applicants argued that the accused-applicants are innocent. They have been falsely implicated in this very case crime number and are languishing in jail since 30.09.2025. Learned counsel for the applicants submits that similarly circumstanced co-accused Mithlesh Kumar has already been enlarged on bail by this Court vide order dated 08.12.2025 in Criminal Misc. Bail Application No. 42172 of 2025. He submits that the applicants have no criminal antecedent to their credit. He further submits that there is no likelihood of their 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 applicants, but could not dispute the aforesaid fact.

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-applicants, **Om Prakash and Ram Sewak**, involved in above mentioned case crime number be released on bail, on their 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 applicants will not tamper with the evidence.
2. The applicants will not indulge in any criminal activity.
3. The applicants will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicants will appear regularly on each and every date fixed by the trial court, unless their personal appearance are 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 their bail.

January 7, 2026

pks

(Ashutosh Srivastava,J.)