



2026:AHC:6339

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 16757 of 2024

Pawan Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Shri Kamlesh Kumar Tripathi, learned counsel for the applicant, Shri Vijendra Kumar Tripathi, learned AGA for the State and perused the entire material available on record.

This is the second bail application filed by the applicant. The first bail application filed by the present applicant has been rejected by this Court by means of a detailed order dated 11.10.2023 passed in Criminal Misc. Bail Application No. 22981 of 2023, a copy of which has been brought on record as Annexure-1 to the bail application.

The applicant Pawan Kumar, has filed this second bail application with a prayer to enlarge him on bail in Case Crime No. 204 of 2023, under Sections 406, 420, 467, 468, 471, 342, 504, 506 IPC and Section 66 of I.T. Act, Police Station Ajeetmal, District Auraiya, during the pendency of the trial before the Court below.

In support of this second bail application, learned counsel for the applicant has reiterated the entire submissions made in the first bail application, which are not necessary to mention herein again by this Court.

Learned counsel for the applicant argued that the accused-applicant is innocent. He has been falsely implicated in this very case crime number and is languishing in jail since 21.4.2023. Learned counsel for the applicant submits that money has been transferred in the account of eight persons, but no where it has been mentioned that as to how much amount has been

credited in the account of applicant. Charge sheet in this case has already been filed on 13.7.2023 and charges against the applicant have been framed on 18.1.2025. There is no likelihood of early conclusion of trial. Till date no witnesses have been examined by the prosecution. He has no criminal antecedent and 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.

Learned AGA has vehemently opposed the prayer for bail.

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, **Pawan 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.

(Ashutosh Srivastava,J.)

January 8, 2026
Ravi Prakash