



2026:AHC:67467

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 10735 of 2026

Afzal

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ambreen Masroor, Sadrul Islam Jafri,
Sr. Advocate
Counsel for Opposite Party(s) : G.A.

Court No. - 69

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri N.I. Zafri, learned Senior Advocate assisted by Shri Ambreen Masroor and Shri Sadrul Islam Jafri, learned counsel for the applicant, and Shri B.P. Maurya, learned AGA for the State-respondents and perused the record.
2. The present bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of applicant, with a prayer to release him on bail in Case Crime No.01 of 2026, under Sections 318(4), 336(3), 338, 340(2) of B.N.S. and Section 66-C and 66-D of I.T. Act, registered at Police Station Cyber Crime, District Muzaffarnagar, during pendency of the trial.
3. It has been submitted by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case due to ulterior motive. It is further submitted that on some confidential information, the police arrested the applicant and two co-accused, namely, Monis Ali and Mohammad Hafeez and from their possession some incriminating articles, like, mobile phones, laptops, printers are said to have been recovered. It is further submitted that the applicant has been implicated in this case on his confession and five other cases of similar nature were registered against him on the same day and the applicant has explained his criminal history of five cases and he was made as an accused in the above five cases. It is further submitted that no private person has filed any complaint regarding commission of any alleged

cyber fraud. It is also submitted that one vehicle which was recovered from the joint possession of the co-accused and has also been released by the Court concerned. It is further submitted that the applicant is languishing in jail since 06.01.2026, 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.

4. Per contra learned A.G.A. has opposed the prayer for bail of the applicant and it has been submitted by him that fake G.S.T. bills, e-way bills have been found in the laptop and mobile phones of the applicant and other co-accused are said to have indulged in preparing forged e-way bills on the basis of forged bills, the above persons claim for refund of G.S.T.

5. The applicant and other co-accused persons were arrested on some confidential information received by the police and from their possession some incriminating articles are said to have been recovered. It is further submitted that no private person has been filed any complaint regarding commission of any alleged cyber fraud. It is also submitted that one vehicle which was recovered from the joint possession of the co-accused and has also been released by the Court concerned. It is further submitted that the applicant is languishing in jail since 06.01.2026.

6. Upon considering the totality of facts, nature and the evidence reflected from record and without expressing any opinion on merits of the case, I find it to be a fit case for bail. Hence, the present bail application is allowed.

7. Let the applicant- **Afzal** involved in the aforesaid case crime shall be released on bail on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned :-

(i) 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.

(ii) The applicant shall not pressurize/intimidate the prosecution witnesses.

(iii) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of B.N.S.S.

(iv) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in the trial court.

(v) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

9. It is clarified that anything said in this order is limited to the purpose of determination of this bail application and will in no way be construed as an expression on the merits of the case. The trial court shall be absolutely free to arrive at its independent conclusions on the basis of evidence led unaffected by anything said in this order.

(Jitendra Kumar Sinha,J.)

March 31, 2026
RKM