



2026:AHC:59831

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 4440 of 2026

Man Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Uma Dutt Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Uma Dutt Shukla, learned counsel for the applicant, and Shri V.P. Singh, learned AGA for the State 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 Man Singh, with a prayer to release him on bail in Case Crime No. 380 of 2025, under Sections 8, 22, 29, 60 of Narcotic Drugs and Psychotropic Substances Act, 1985 (N.D.P.S.), Act registered at Police Station New Agra, District Agra, 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 nothing has been recovered from the possession of applicant and his name is surfaced in the confessional statement of arrested co-accused persons. As per the First Information Report 1.075 Kg. of heroin has been recovered from the joint possession of the arrested co-accused persons. It is further submitted that co-accused have already been granted bail by coordinate bench of this Court in Criminal Misc. Bail Application No. 320 of 2025 vide order dated 01.04.2025 and in Criminal Misc. Bail Application No. 11046 of 2025 vide order dated 05.04.2025. It is further submitted that applicant is having no criminal history. The applicant, who is languishing in jail since 14.12.2025, 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.
5. The name of the applicant has surfaced in the confessional statement of arrested co-accused persons. As per the First Information Report 1.075 Kg. of heroin has been recovered from the joint possession of the arrested co-accused persons and co-accused have already been granted bail by coordinate bench of this Court in Criminal Misc. Bail Application No. 320 of 2025 vide order dated 01.04.2025 and in Criminal Misc. Bail Application No. 11046 of 2025 vide order dated 05.04.2025. The applicant, who is languishing in jail since 14.12.2025.
6. Upon considering the totality of facts, nature and the evidence reflected from record and also taking into consideration the provision of Section 37 of the Act 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. In the event of arrest of the applicant- **Man Singh** 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 23, 2026

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