



2026:AHC:62226

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 530 of 2026

Pawan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 69

HON'BLE JITENDRA KUMAR SINHA, J.

1. Rejoinder affidavit filed by learned counsel for the applicant is taken on record.
2. Heard Mr. Anurodh Tripathi, learned counsel for the applicant, and Mr. Chandra Shekhar, learned AGA for the State-respondents and perused the record.
3. The present bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of applicant Pawan, with a prayer to release him on bail in Case Crime No. 107 of 2025, under Sections 8/20 N.D.P.S. Act, registered at Police Station Karma, District Sonbhadra, during pendency of the trial.
4. 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 the applicant and the first information report has been lodged against unknown and during investigation the name of the applicant surfaced and as per allegation 30 Kg. ganja is said to have been recovered from a vehicle and the applicant is said to be the driver of the said vehicle who operates the said vehicle on hire from its actual owner. The applicant, who is languishing in jail since 6.11.2025, 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.

5. Per contra learned A.G.A. has opposed the prayer for bail of the applicant.

6. Nothing has been recovered from the possession of the applicant and the first information report has been lodged against unknown and during investigation the name of the applicant surfaced and as per allegation 30 Kg. ganja is said to have been recovered from a vehicle and the applicant is said to be the driver of the said vehicle who operates the said vehicle on hire from its actual owner and the applicant is languishing in jail since 20.7.2025.

7. Upon considering the totality of facts, nature and the evidence reflected from record and also taking note of Section 37 of N.D.P.S. Act and without expressing any opinion on merits, a case for anticipatory bail is made out. Hence, the present bail application is allowed.

8. In the event of arrest of the applicant-**Pawan** 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.

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

10. 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

Kumar Manish