



2026:AHC:56026

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 5538 of 2026

Buddhisen Kori

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Sanjay Kumar Srivastava, Vivek
Kumar Singh
Counsel for Opposite Party(s) : G.A., Kuldeep Mishra

Court No. - 67

HON'BLE SAMEER JAIN, J.

1. Heard Sri Vivek Kumar Singh, learned counsel for the applicant, Sri Mohd. Afzal Ansari, advocate holding brief of Sri Kuldeep Mishra, learned counsel for the informant and Sri Vijay Bahadur Maurya, learned AGA for the State.
2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.92 of 2025, under Sections 419, 420, 467, 468, 471, 120B IPC, Police Station Shankargarh, District Prayagraj, during pendency of the trial.
3. Learned counsel for the applicant submits, applicant was not named in the FIR but during investigation through the statement of co-accused he has been made accused in the present matter.
4. He further submits, however as per allegation applicant was imposter but there is no cogent evidence in this regard. He next submits, actually applicant was poor labour and co-accused Mahendra and Umesh Kesarwani implicated him in the present matter. He next argued, both the above co-accused anyhow obtained his photographs and thereafter they used his photographs for the alleged forged sale deed and due to this reason applicant has been made accused in the present matter.
5. He next submits, even all the alleged offences are triable by Magistrate and applicant is not having any criminal history and in the present matter

he is in jail since 23.12.2025 i.e. for last almost three months.

6. Per contra, learned AGA as well as learned counsel for the informant opposed the prayer for bail and submit, applicant was imposter and even his photograph was also used in the alleged fraud but they could not dispute the fact that except statement of co-accused there is no other evidence which can suggest, applicant was imposter and he is not having any criminal history and all the alleged offences are triable by Magistrate.

7. I have heard learned counsel for the parties and perused the record of the case.

8. However, from the record it reflects, on the alleged forged sale deed photographs of the applicant was used but except statement of the co-accused and confessional statement of the applicant it appears, there is no evidence which can suggest, he was an imposter. Further, applicant appears to be poor labour and all the alleged offences are triable by Magistrate and applicant is not having any criminal history and in the present matter he is in jail for almost three months.

9. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

10. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is allowed.

11. Let the applicant - **Buddhisen Kori** be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make 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 any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

12. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

13. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Sameer Jain,J.)

March 17, 2026
Shahroz