



2026:AHC:17503

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 44960 of 2025

Gaurav Mishra

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ashish Kumar Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Shri Ashish Kumar Pandey, learned counsel for the applicant, Shri S. K. Rai, learned AGA-I for the State-respondents and perused the record.

This bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been moved on behalf of accused-applicant, Gaurav Mishra, seeking enlargement on bail in Case Crime No. 230 of 2025, under Sections 318 (4), 3 (5) of the Bharatiya Nyaya Sanhita, 2023 and Section 66D of I.T. Act, Police Station Cyber Crime, District Ghaziabad, during the pendency of the trial before the Court below.

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 31.10.2025. Learned counsel for the applicant submits that on the basis of presumption FIR has been lodged. It is mentioned in the FIR it is alleged that crime is yet to be committed but the same has not been committed by the applicant. Recovery of Rs.20,000/- belongs to the applicant. Charge sheet in this case has been filed on 22.12.2025 and cognizance thereon has already been taken on 24.12.2025. 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, **Gaurav Mishra**, 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 27, 2026

Ravi Prakash