



2026:AHC:11027

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 959 of 2026

Jagjeet Alias Kapil

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the applicant, Sri R. K. Nishad, learned State Law Officer for the State-Respondent and perused the record.

This bail application has been moved on behalf of accused-applicant seeking enlargement on bail in Case Crime No. 719 of 2025, under Sections 8/18/21/29 of the NDPS Act and Section 25 of the Arms Act, Police Station Baradari, District Bareilly.

Learned counsel for the applicant has contended that about 265 Gram of Heroine is alleged to have been recovered from the house of the applicant. In fact no such recovery was effected from the applicant. It is further submitted that since such recovery is not supported by independent witness, possibility of his false implication in the crime cannot be ruled out. It is next contended that in the present case the prosecution has failed to follow strictly the provisions of the N.D.P.S. Act. There is no report of chemical analyst. He submits that the charge sheet against the applicant has been filed and cognizance has also been taken by the court concerned as such the applicant is no more required for custodial interrogation. It is also argued that the applicant is absolutely innocent and has been falsely implicated in the present crime with a view to cause unnecessary harassment and victimize him. He submits that the co-accused Priyanka Das has already been granted bail by the Co-ordinate Bench of this Court vide order dated 06.10.2025 passed in Criminal Misc. Bail Application No. 33682 of 2025. The applicant is in jail since 27.08.2025 and the applicant has criminal history of three other cases to his credit, which has been explained in the affidavit filed in

support of the bail application. He submits that there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. In case the applicant is released on bail he will not misuse the liberty of bail.

Per contra learned A.G.A. has opposed the bail prayer of the applicant by contending that the innocence of the applicant cannot be adjudged at pre-trial stage who is involved in supplying contraband, therefore, the applicant does not deserve any indulgence. In case the applicant is released on bail he will again indulge in similar activity.

Without expressing any opinion on the merits, let the applicant **Jagjeet @ Kapil**, involved in the aforesaid case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions that :-

1. The applicant shall not tamper with the prosecution evidence by intimidating/pressurizing the witnesses, during the investigation or trial.
2. The applicant shall cooperate in the trial sincerely without seeking any adjournment.
3. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

In case of breach of any of the above conditions, it shall be a ground for cancellation of bail. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

January 16, 2026
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(Ashutosh Srivastava,J.)