



2026:AHC:56411

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 1965 of 2026

Nand Kishor @ Nandu @ Kankata

.....Applicant(s)

Versus

State Of U.P Through Principal Secretary(Home)
U.P., Lucknow

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Raghvendra Pratap Rajan
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67

HON'BLE SAMEER JAIN, J.

1. Heard Sri R.P. Rajan, learned counsel appearing on behalf of the applicant appointed by High Court Legal Services and Sri Imran Khan, learned AGA for the State.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.379 of 2019, under Sections 394 IPC, Police Station Mohammadabad, District Farrukhabad, during pendency of the trial.

3. Learned counsel for the applicant submits, however, as per allegation applicant committed loot but entire allegation levelled against him prima facie appears to be false.

4. He next argued, even all the offences are triable by Magistrate and in the present matter, applicant is in jail since 21.12.2022 i.e. for last more than three years.

5. He next submits, applicant was not named in the FIR and was not having previous history however subsequently, he has been made accused in two other cases.

6. He further submits, considering the long incarceration of the applicant, he should be released on bail

7. Per contra, learned AGA opposed the prayer for bail but could not

dispute the arguments on fact advanced by learned counsel for the applicant.

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

9. However, as per allegation, applicant committed robbery and he could only be arrested after three years but he is in jail for last more than three years.

10. Further, he was not having previous criminal history though, when he was arrested then he has also made accused in two other cases.

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

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

13. Let the applicant - **Nand Kishor @ Nandu @ Kankata** 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.

14. 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.

15. 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
S.A.