



2026:AHC:57130

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2532 of 2026

Ayush Patel

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Santosh Kumar Singh, Sarvesh Kumar Dubey

Counsel for Opposite Party(s) : G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Learned counsel for the applicant, Learned A.G.A. for the State and perused the record.

2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No.17 of 2025, under Sections 318(4), 336(3), 338 BNS and Section 66 D of the Information Technology Act, Police Station- Cyber Crime Police, District- Sonbhadra.

3. The Learned counsel for the applicant states that the applicant has been falsely implicated in the present case. The applicant is not named in the First Information Report. The First Information Report was lodged against two named accused persons namely Rajat Kumar Srivastava and Chintu @ Subhash Rai. The allegation in the First Information Report is against the named accused inducing the informant and his other family members by promising them benefit of some government scheme and opened their fake bank accounts. The applicant has no role to play in the said transaction. The applicant has been implicated in the present case when the co-accused Subhash Rai has been arrested and in his confessional statement, the identity of the applicant is said to have been disclosed, as one of the persons, who had run away from the spot when Subhash Rai was arrested. The applicant has a criminal history of five cases, which has been duly explained in paragraph No.23 of the affidavit filed in support of the instant bail application. The co-accused Rajat Kumar Shrivastava, who is named in the First Information Report, has

been granted anticipatory bail by this Court vide its order dated 3.2.2026 passed in **Criminal Misc. Anticipatory Bail Application U/S 482 BNSS No.- 993 of 2026 (Rajat Kumar Shrivastava Vs. State of U.P. and 2 Others)**.

4. The Learned A.G.A. has opposed the prayer for grant of bail and has stated that fraudulent bank accounts were opened taking advantage of the informant and his other family members. A huge amount of money has been transferred into the said bank accounts and the bank accounts have been used to commit cyber fraud. The Learned A.G.A. has also informed that in the account opening forms of the informant and his relatives Aarti and Madhuri, one of the mobile numbers that was given, was of the applicant. The Learned A.G.A. has on perusal of the case diary stated that an amount of Rs. 1 crore has been transferred using the said fake bank accounts and this amount has been obtained by playing cyber fraud.

5. I have considered the submissions made by the Learned counsels for the parties and perused the material brought on the record.

6. The applicant is not named in the First Information Report. His name has been disclosed in the confessional statement of the co-accused Subhas Rai. The confessional statement of the applicant recorded by the police indicates that the applicant was an employee of Subhas Rai and used to work as a manager at his Dhaba. The applicant is stated to have been a part of the conspiracy, for which, he was paid Rs. 10,000/-. However, the A.T.M. pass books, cheque books etc. of the accounts opened by giving the mobile number of the applicant were supposedly kept with the co-accused Rajat Kumar Srivastava. No recovery has been made from the possession or on the pointing out of the applicant. The applicant is stated to be in jail since 3.12.2025 and a charge-sheet has now been submitted against the applicant. Similarly situated co-accused Rajat Kumar Srivastava, has been granted anticipatory bail by this Court vide its order dated 3.2.2026 passed in **Criminal Misc. Anticipatory Bail Application U/S 482 BNSS No.- 993 of 2026 (Rajat Kumar Shrivastava Vs. State of U.P. and 2 Others)**. The criminal history of the applicant has been satisfactorily explained.

7. In view of the above, I deem it appropriate to enlarge the applicant on

bail.

8. The bail application is ***allowed***.

9. Let the accused-applicant- **Ayush Patel**, 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:

i. The applicant will not tamper with the evidence.

ii. The applicant will not indulge in any criminal activity.

iii. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.

iv. 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.

10. In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

11. It is made clear that the applicant shall be released on the basis of computer generated copy of this order, downloaded from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within 15 days.

12. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

(Rajiv Lochan Shukla,J.)

March 19, 2026

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