



2026:AHC:58720

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 1064 of 2026

Ajay Kumar

.....Applicant(s)

Versus

State Of U.P. And 2 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Manish Tiwari, Saurabh Tripathi, Sr.
Advocate

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

Court No. - 53

HON'BLE SAMIT GOPAL, J.

1. List revised.

2. Heard Sri Prabhakar Awasthi, learned Senior Advocate assisted by Sri Adarsh Shukla, holding brief of Sri Manish Tiwari, learned counsel for the applicant and Sri Ajay Singh, learned counsel for the State and perused the material on record.

3. This bail application **under Section under Section 483 of B.N.S.S.** has been filed by the applicant- **Ajay Kumar**, seeking enlargement on bail during trial in connection with Case Crime No. 0014 of 2025, under Section 7 of Prevention of Corruption Act, 1988, Police Station- Anti Corruption Prayagraj, District- Prayagraj.

4. Learned counsel for the applicant submitted that the applicant has been falsely implicated in the present case. It is submitted that no recovery from the person of the applicant was affected and the prosecution case is that the money was thrown by the applicant on the floor which was then picked up. It is further submitted that the applicant has no criminal history. It is further submitted that the investigation in the matter has concluded and charge sheet has been submitted before the court concerned which is pending for appropriate orders by the court concerned.

5. The applicant has no criminal history as stated in para 19 and 21 of the

affidavit and is in jail since 09.12.2025.

6. *Per contra*, learned counsel for the State has vehemently opposed the prayer for bail and submitted that the present case is a case of trap and the applicant was posted as a clerk in the office of the Prayagraj Development Authority and there was a demand of bribe money which was accepted and was recovered by the trap, however, the fact that the money was picked from the ground is not disputed.

7. After having heard learned counsel for the parties and perusing the record, it is evident that the investigation in the matter has concluded and the charge sheet has been forwarded to the court concerned, further, the alleged money was recovered from the ground and not from the person and the applicant.

8. Looking to the facts and circumstances of this case, the nature of evidence and also the absence of any convincing material to indicate the possibility of tampering with the evidence, this Court is of the view that the applicant may be enlarged on bail.

9. Let the applicant- **Ajay Kumar** be released on bail in the aforesaid case crime number on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions which are being imposed in the interest of justice:-

(i) The applicant will not tamper with prosecution evidence and will not harm or harass the victim/complainant in any manner whatsoever.

(ii) The applicant will abide the orders of court, will attend the court on every date and will not delay the disposal of trial in any manner whatsoever.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(iv) The applicant will not misuse the liberty of bail in any manner

whatsoever. In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under section 84 B.N.S.S., 2023 may be issued and if applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under section 209 B.N.S., 2023.

(v) The applicant shall remain present, in person, before the trial court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 351 B.N.S.S., 2023. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law and the trial court may proceed against him under Section 269 B.N.S., 2023.

(vi) The trial court may make all possible efforts/endeavour and try to conclude the trial expeditiously after the release of the applicant.

10. The identity, status and residential proof of sureties will be verified by court concerned and in case of breach of any of the conditions mentioned above, court concerned will be at liberty to cancel the bail and send the applicant to prison.

11. The bail application is **allowed**.

12. Pending application (s), if any, shall stand disposed of.

(Samit Gopal,J.)

March 20, 2026

Nisha