



2026:AHC:59331

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 1529 of 2026

Himanshu Boudh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sushil Dubey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE SAMEER JAIN, J.

1. Supplementary affidavit filed by the applicant is taken on record.
2. Heard Sri Sushil Dubey, learned counsel for the applicant and Sri Manoj Kumar Singh, learned Brief Holder for the State.
3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 251 of 2025, under Sections 318(4), 340(2), 338, 351(2) BNS, Police Station Pahasu, District Bulandshahr during pendency of the trial.
4. Learned counsel for the applicant submits, applicant is innocent and on the basis of false allegation he has been made accused in the present matter. He further submits, as per FIR, co-accused Neeraj Yadav duped the informant under the false promise to provide job to him and admittedly applicant did not receive any money from the informant and as per allegation applicant provided fake joining letter to the informant.
5. He further submits, actually applicant is the friend of co-accused Neeraj Yadav and only due to this reason he has been made accused in the present matter. He further submits, co-accused Neeraj Yadav appears to be prime accused.
6. He further submits, applicant is having criminal history of four cases including a case of Gangsters Act but his criminal history has been explained in the supplementary affidavit filed in support of instant bail application. He further submits, out of four cases in one case applicant has been released on bail and in another case after investigation final report has been submitted in

favour of the applicant.

7. He further submits, in the present matter applicant is in jail since 07.08.2025 i.e. for almost eight months.

8. Per contra, learned AGA opposed the prayer for bail but could not dispute the argument on facts advanced by learned counsel for the applicant.

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

10. However, as per allegation, applicant and others duped the informant but from the FIR it reflects, co-accused Neeraj Yadav was the principal accused who received the entire money from the informant and admittedly applicant neither received any money nor any money has been transferred in his account.

11. Further, however, applicant is having criminal history of four cases but his criminal history has been explained in the supplementary affidavit filed in support of instant bail application.

12. Further, in the present matter applicant is in jail since 07.08.2025 i.e. for almost eight months.

13. Further, law is settled that unless proven guilty an accused is deemed to be innocent and bail application should not be dismissed either for punitive or preventive purpose.

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

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

16. Let the applicant **-Himanshu Boudh** 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.

17. 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.

18. 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.

March 23, 2026
AK Pandey

(Sameer Jain,J.)