



2026:AHC:65699

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 5489 of 2026

Rajani

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ashish Kumar Pandey, Nandini Mishra
Counsel for Opposite Party(s) : G.A.

Court No. - 69

HON'BLE JITENDRA KUMAR SINHA, J.

1. Supplementary affidavit filed by the learned counsel for the applicant is taken on record.
2. Heard Sri Ashish Kumar Pandey, learned counsel for the applicant and Sri Radhey Shyam, learned AGA for the State-respondents and perused the record.
3. The present bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of applicant with a prayer to release him on bail in Case Crime No. 10 of 2026, under Sections 8/20 NDPS Act and Section 61(2) BNS, registered at Police Station Crossing Republic, District Ghaziabad, during pendency of the trial.
4. It has been argued by the learned counsel for the applicant that applicant is innocent and she has been falsely implicated in this case. It is further submitted that as per allegation in the FIR 2kg 136 gram ganja is said to have been recovered from the possession of the applicant. It is further submitted that co-accused Mohd. Adnaan@Raja has already been granted bail by a co-ordinate Bench of this Court vide order dated 27.2.2026 passed in Criminal Misc. Bail Application No. 5290 of 2026. It is further submitted that the applicant is having criminal history of three cases which have been explained in the memo of application. It is also submitted that the applicant, who has been languishing in jail since 16.1.2026 undertakes that she will not misuse the liberty, if granted. It has

also been pointed out that in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial.

5. On the other hand, learned A.G.A. has opposed the prayer for grant of bail to the applicant. It is further submitted that the applicant has not explained the criminal history of her fourth case relating to the offence under Section 60 of the Excise Act.

6. As per allegation in the FIR 2kg 136 gram ganja is said to have been recovered from the possession of the applicant. Co-accused Mohd. Adnaan@Raja has already been granted bail by a co-ordinate Bench of this Court vide order dated 27.2.2026 passed in Criminal Misc. Bail Application No. 5290 of 2026. The applicant is having criminal history of three cases, however, one more case has been registered against him relating to the offence under Section 60 of the Excise Act.

7. Upon considering the totality of facts, nature and the evidence reflected from record and without expressing any opinion on merits of the case, I find it to be a fit case for bail. Hence, the present bail application is **ALLOWED**.

8. Let the applicant- **Rajani** involved in the aforesaid case crime be released on bail on her furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned with the following conditions :-

(i) The applicant shall not directly or indirectly make any 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 to any police officer or tamper with the evidence.

(ii) The applicant shall not pressurize/intimidate the prosecution witnesses.

(iii) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of B.N.S.S.

(iv) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in the trial court.

(v) The applicant shall remain present before the trial court on each date fixed, either personally or through her counsel.

9. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

10. It is clarified that anything said in this order is limited to the purpose of determination of this bail application and will in no way be construed as an expression on the merits of the case. The trial court shall be absolutely free to arrive at its independent conclusions on the basis of evidence led unaffected by anything said in this order.

(Jitendra Kumar Sinha,J.)

March 30, 2026
Abhishek