



2026:AHC:65874

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 5535 of 2026**

Bheem Lal Shah

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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| Counsel for Applicant(s)      | : | Shailesh Pandey |
| Counsel for Opposite Party(s) | : | G.A.            |

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**Court No. - 69**

**HON'BLE JITENDRA KUMAR SINHA, J.**

1. Heard Sri Shailesh Pandey, learned counsel for the applicant and Sri Uma Shanker Mishra, learned AGA for the State-respondents and perused the record.

2. 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. 04 of 2025, under Sections 127(2), 137(2), 143(5), 146, 49 BNS and Section 79 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and Section 14(1) of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, registered at Police Station Anti Human Trafficking Unit, District Mirzapur, during pendency of the trial.

3. It has been argued by the learned counsel for the applicant that applicant is innocent and he has been falsely implicated in this case. It is further submitted that co-accused Irshad has already been granted bail by a co-ordinate Bench of this Court vide order dated 17.2.2026 passed in Criminal Misc. Bail Application No. 5322 of 2026. It is further submitted that the applicant is having no criminal history and the FIR has not been lodged by any guardian of the victim and the same has been lodged by Labour Enforcement Officer. It is also submitted that the applicant, who has been languishing in jail since 28.11.2025 undertakes that he 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.

4. On the other hand, learned A.G.A. has opposed the prayer for grant of bail to the applicant.

5. Co-accused Irshad has already been granted bail by a co-ordinate Bench of this Court vide order dated 17.2.2026 passed in Criminal Misc. Bail Application No. 5322 of 2026. The applicant has been languishing in jail since 28.11.2025. As per FIR, some boy below the age of 14 years have been engaged in child labour, however, complaint has not been lodged by any guardian of any of the victims and the same has not been lodged by Labour Enforcement Officer. During investigation Section 14(1) of Child and Adolescent Labour (Prohibition and Regulation Act) and Section 137(2) BNS have been deleted.

6. 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**.

7. Let the applicant- **Bheem Lal Shah** involved in the aforesaid case crime be released on bail on his 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 his counsel.

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

**9.** 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