



2026:AHC:66471

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 5547 of 2026

Ravikant @ Ravi

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	G.A., Jaysingh Yadav
Counsel for Opposite Party(s)	:	

Court No. - 69

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Jay Singh Yadav, learned counsel for the applicant, and Shri 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 Ravikant @ Ravi with a prayer to release him on bail in Case Crime No. 489 of 2025, under Section 8/20/29/60/61 of NDPS Act, registered at Police Station Talbehat, District Lalitpur during pendency of the trial.

3. It has been submitted by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the present case due to ulterior motives. It is further submitted that no incriminating article has been recovered from the possession of the applicant and the name of the applicant has surfaced only in the confessional statement of the arrested co-accused, namely, Satyaveer Singh. It is further submitted that the applicant is languishing in jail since 14.11.2025 and undertakes that he will not misuse the liberty of bail, if granted. It has also been pointed out that, in view of the heavy pendency of cases before the Court, there is no likelihood of early conclusion of the trial. It is further submitted that the applicant has a criminal history of six cases, which has been duly explained in the application. The implication of the applicant is based solely on the confessional statement of a co-accused, which is not admissible in evidence in view of the law laid down by the Hon'ble Supreme Court in ***Toofan Singh vs. State of Tamil Nadu, (2021) 4***

SCC 1.

4. Per contra, the learned Additional Government Advocate has opposed the prayer for bail of the applicant and submitted that, according to the call detail records, the applicant and the co-accused had communicated on 73 occasions, and the location of the applicant was found to coincide with that of the co-accused. However, it is submitted that when the truck overturned, the applicant managed to abscond from the place of occurrence.

5. As per the First Information Report, no incriminating material was recovered from the possession of the applicant. However, the name of the applicant surfaced in the confessional statement of the co-accused, Satyaveer Singh. A total of 172 kilograms of Ganja was recovered from the vehicle, and the co-accused Satyaveer Singh was apprehended on the spot. In view of the provisions of Section 37 of the NDPS Act, which lays down stringent conditions for grant of bail in cases involving commercial quantity of narcotics, and having regard to the observations of the Hon'ble Supreme Court in **Toofan Singh v. State of Punjab**, the gravity of the offence cannot be ignored. The applicant has been in jail since 14.11.2025.

6. Considering the totality of facts and circumstances, including the conduct of the applicant, the provisions of Section 37 NDPS Act, and the legal principles laid down in *Toofan Singh*, the matter requires careful consideration of both the seriousness of the offence and the period of incarceration already undergone by the applicant, I find it to be a fit case for bail. Hence, the present bail application is allowed.

7. Let applicant- Ravikant @ Ravi involved in the aforesaid case crime shall 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 :-

(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.

March 30, 2026
Sumaira

(Jitendra Kumar Sinha,J.)