



2026:AHC:66345

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 7561 of 2026

Ak Rana

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Budhi Sagar Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard Sri S.K. Upadhyay, Advocate holding brief of Sri Budhi Sagar Tripathi, learned counsel for the applicant, Sri N.K. Sharma, learned A.G.A. for the State and perused the record.
2. The present bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 61 of 2025, under Sections 318(2), 318(4), 61(2)(B), 111(2)(B), 341(1) B.N.S., and 66D of I.T. Act, Police Station- Kotwali, District- Agra during pendency of the trial.
3. Counsel for the applicant submits that the applicant was not named in the first information report and has been falsely implicated in the present case. The name of the applicant was disclosed by co-accused Himanshu Agarwal while in police custody. The said statement, insofar as it implicates the applicant, is unreliable. At this stage, there is no corroborative evidence to link the applicant with the offence. There is no material to suggest that the alleged drugs were spurious or sub-standard quality. No proceedings under the Drugs and Cosmetics Act, 1940 have been instituted against the applicant. The applicant is neither a member of any organized crime syndicate nor he acted on behalf of such syndicate. It is next contended that the

co-accused Himanshu Agarwal has been granted bail by this Court vide order dated 11.11.2025 passed in Criminal Misc. Bail Application No. 39381 of 2025. The criminal history of the applicant has been explained in para 3 of the supplementary affidavit. The applicant is in jail since 17.12.2025. In case he is enlarged on bail, he will not misuse the said liberty.

4. Learned A.G.A. for the State opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having heard counsel for the parties and having perused the record, this Court prima facie finds that the applicant was not named in the first information report. The name of the applicant was disclosed by co-accused Himanshu Agarwal in police custody. There is no material to suggest that the alleged drugs were spurious or sub-standard quality. At this stage, there is no corroborative evidence to link the applicant with the offence. No proceedings under the Drugs and Cosmetics Act, 1940 have been instituted against the applicant. The co-accused Himanshu Agarwal has been granted bail by this Court. Further, the applicant has presently remained confined for more than three months and there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or intimidate the witness, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant, **A.K. Rana** involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each of the like amount to the satisfaction of court concerned on the following conditions that:

- i. the applicant shall not tamper with the prosecution evidence;
- ii. the applicant shall not pressurize the prosecution witness;

iii. the applicant shall appear on each and every date fixed by the trial court.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

March 30, 2026

S.S.

(Vivek Varma,J.)