



2026:AHC:10217

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 42952 of 2025

Sarfaraz

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Adarsh Kumar Singh, Ankit Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the applicant, Sri Arimardan Yadav, learned AGA for the State-Respondent and perused the record.

The present bail application has been moved on behalf of accused-applicant seeking enlargement on bail in Case Crime No. 611 of 2025, under Sections 318(4), 338, 336(3), 340(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, Sections 66-C, 66-D of the I. T. Act, and Sections 42(1), 42(2)A, 42(3), (B)(C)(D)(F)(E), 42(6) of Indian Telecom Act, Police Station Lisarigate, District Meerut.

Learned counsel for the applicant argued that the accused-applicant is innocent and he has been falsely implicated in this case crime number. Learned counsel for the applicant further submits that as per allegation levelled against the applicant is that the applicant was running an illegal telephone exchange. He submits that though the applicant is named in the FIR but he is not involved in the said crime and the Police has falsely implicated him due to ulterior motive. He submits that there is no independent witness of the alleged incident. He submits that in the present case charge sheet has been filed and the court concerned has also taken cognizance as such the applicant is not required for any further custodial interrogation. The applicant is languishing in jail since 06.09.2025. He submits that the applicant has no criminal antecedent to his credit. He submits that there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, the bail has been prayed for.

Learned AGA has vehemently opposed the prayer of bail. He submits that credible evidence has been collected by the Investigating Officer which shows that the applicant is accused of operating SIM Box based illegal telephone exchange in connivance with the other co-accused and by converting international calls into voice calls, causing damage to the Indian economy and causing huge loss of revenue and by hiding the identity of the persons making the call. He submits that the applicant has accepted recovery of one white coloured Wi-Fi Router, one Jio Rounter from the possession of the applicant but from the recovery memo four routers have been shown to be recovered from the possession of the applicant, which reflects that the applicant is extensively involved in the aforesaid crime. He further submits that the applicant was arrested from the spot along with other co-accused persons as such the applicant is not entitled to get any relief from the court.

In the light of the facts and circumstances of the present case, it would be inappropriate to discuss the evidence in depth at this stage because it is likely to influence the trial of the accused. But, from the perusal of the evidences, collected during investigation so far, prima-facie, the involvement of the accused in the present case cannot be ruled out. No reason is found to falsely implicate the applicant/accused. Therefore, there is no good ground to release the applicant-accused on bail at this stage. All the contentions raised by the learned counsel for the applicant pertain to the merits of the case and the same cannot be considered while considering application for grant of bail. This court is unable to form an opinion at this stage that the accused has not committed an offence.

In the ultimate conclusion, considering the facts and circumstances of the case, gravity of the offence, severity of punishment, in my opinion, no case for bail is made out. Accordingly, the bail application is hereby **rejected**.

It is clarified that the observations made regarding the bail application is limited to the decision of the bail application and any observations made herein shall not effect the trial of the case.

January 8, 2026

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(Ashutosh Srivastava,J.)