



2026:AHC-LKO:20605

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 1935 of 2026

Vimal Tiwari

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Deptt. Lko.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Neeraj Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 23

HON'BLE RAJEEV BHARTI, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.
2. This is first bail application filed on behalf of the applicants who are involved in Case Crime No.541 of 2025, Under Sections 420, 467, 468, 471, 120-B I.P.C., Police Station Kotwali, District Unnao.
3. Learned counsel for the applicants submits that the applicant himself purchased a land of Gata No.1106, measuring area 33.7.33 sq. meters and Gata No.889, measuring area 316 sq. meters, from the co accused Prakash and Prithvi Pal through a registered sale deed dated 10.4.2024 after making payment of consideration amount of Rs.10,00,000/- through cheque no.006259 dated 9.4.2024. After perusal of the sale deed dated 10.4.2024, executed in favour of the complainant by the co accused persons namely Prakash and Prithvi Pal, it is clear that applicant has no role in execution of the sale deed. The alleged offences are triable by magistrate. The applicant is in jail since 22.1.2026 having criminal history of one case which has been duly explained in paragraph 20 of the affidavit filed in support of the bail application. In the said case, the applicant is on bail, copy of which is being annexed as Annexure No.6 to the said affidavit. The applicant is languishing in jail since 22.1.2026. It is further submitted that there is no possibility of the applicants of fleeing away after being released from jail or tampering with the witnesses. The applicant undertakes that in case the applicant is enlarged on bail, he shall cooperate with the trial and shall not misuse the liberty of bail.

Hence, the applicant may be granted bail.

4. Learned A.G.A. opposed the prayer for bail but could not dispute the aforesaid facts as argued by the learned counsel for the applicant.

5. Considering the submissions of learned counsel of both sides, nature of accusation and severity of punishment in case of conviction, nature of supporting evidence, *prima facie* satisfaction of the Court in support of the charge, reformatory theory of punishment and considering larger mandate of the Article 21 of the Constitution of India and, without expressing any view on the merits of the case, I find it to be a fit case of bail.

6. Accordingly, the bail application is ***allowed***.

7. Let the applicant- ***Vimal Tiwari*** involved in the aforementioned crime be released on bail, on his furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

(1) The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, or otherwise during the investigation or trial;

(2) 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 court. He shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 229-A of the Indian Penal Code;

(3) 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 313 Cr.P.C.; and

(4) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, the trial court shall initiate proceedings against him, in accordance with law under Section 174-A of the Indian Penal Code.

The identity, status and residential proof of sureties will be verified by the

court concerned and in case of breach of any of the above conditions, the court below shall be at liberty to cancel the bail and send the applicant to prison.

It is clarified that the observations made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the merits of the case.

(Rajeev Bharti,J.)

March 20, 2026

Shukla