



2026:AHC-LKO:21028

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 2098 of 2026

Pramod Kumar Upadhyay

.....Applicant(s)

Versus

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

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Virendra Kumar Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 13

HON'BLE MANISH KUMAR, J.

1. Supplementary affidavit filed today is taken on record.
2. Heard learned counsel for the applicant and learned AGA for the State.
3. By means of this application, the applicant, who is involved in Case Crime No.319/2025, Under Sections 61(2), 111(2)(b), 316(5), 351(3), 338, 336(3), 340(2) BNS (old sections 120B, 409, 506, 467, 468, 471 IPC and Section 111(2)(b) BNS is newly added section), Police Station Mohanlalganj, District - Lucknow is seeking enlargement on bail during the trial.
4. As per F.I.R. dated 14.08.2025, the allegations against the applicant and other co-accused persons are that they are director and officials of the Company namely H.K. Infra Vision Pvt. Ltd. The said company after purchasing the land from the farmers sold to the public for the residential purposes and in pursuance thereof the sale deed has been executed in favour of the complainant / informant but the possession has not been handed over till date despite full payment has been made.
5. Learned counsel for the applicant has submitted that at least about 67 criminal cases have been registered against the applicant and all are similar in nature, out of which in 38 cases bail has been granted by this Court, copy of more than 30 orders have been enclosed with the supplementary affidavit filed today and prayed for the parity of the same.

6. He has further submitted that co-accused persons having the same allegations as has been made against the applicant have already been granted bail, copy of bail orders have been filed alongwith the bail application.

7. Learned A.G.A. has vehemently opposed the bail prayer but unable to dispute that under the same sections the F.I.Rs have been lodged against the applicant and the other co-accused persons having the same / identical allegations have already been granted bail by this Court and unable to dispute parity of bail orders granted to the applicant and other co-accused in other matters.

8. Having heard learned counsel for the parties and having perused the material available on record; considering the fact that in similar allegation the applicant has been enlarged on bail in other several cases and the other co-accused having the similar allegations have already been granted bail and made out a case for parity, thus, prima-facie, it is found that it is a fit case in which the applicant may be enlarged on bail.

9. Accordingly, the present bail application is *allowed*.

10. Let the applicant **Pramod Kumar Upadhyay** be released on bail in the aforesaid case crime number on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant will cooperate with the prosecution during trial.

(ii) The applicant will not tamper with the evidence during trial.

(iii) The applicant will not pressurize/intimidate the prosecution witness(es).

(iv) The applicant shall not commit an offence.

(v) 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.

(vi) The applicant shall remain present before the trial court on each date

fixed, either personally or through counsel.

(vii) The applicant will not seek any adjournment on the dates fixed for evidence when the witnesses are present in court.

(viii) The applicant shall remain present, in person, before the trial court on the dates fixed for recording of statement under Section 313 Cr.P.C.

11. In case of default of above conditions it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

12. As this order relates to enlargement of the applicant on bail, it is clarified that observations made in this order shall have no bearing on the merits of the case and the trial court shall not be influenced by any observations made in this order.

(Manish Kumar,J.)

March 24, 2026

S. Kumar