



2026:AHC:14348

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 45373 of 2025

Shivdayal Nishad

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Samiksha Chaturvedi,	Saurabh Chaturvedi
Counsel for Opposite Party(s)	:	G.A.	

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the applicant, Shri Puneet Kumar Singh, learned AGA for the State-respondents and perused the record.

This bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been moved on behalf of accused-applicant, Shivdayal Nishad, seeking enlargement on bail in Case Crime No. 115 of 2025, under Sections 34, 419, 420, 465, 467, 468, 471 of the Indian Penal Code & Sections 66-C & 66-D of I.T Act, Police Station Rajapur, District Chitrakoot.

Learned counsel for the applicant argued that the accused-applicant is innocent. He has been falsely implicated in this very case crime number and is languishing in jail since 16.05.2025. Learned counsel for the applicant submits that similarly circumstanced co-accused Jitendra Kumar, Rahul Pandey, Sandeep Pandey, Surendra Singh, Shivbabu, Mohad. Naufil and Omprakash Agrahari Alias Titu Agrahari, have already been enlarged on bail by this Court as well as co-ordinate Bench of this Court on 27.11.2025, 25.09.2025, 27.11.2025, 27.11.2025, 18.11.2025, 13.11.2025, 31.10.2025 & 25.09.2025 in Criminal Misc. Bail Application No. 34223 of 2025, 25168 of 2025, 34329 of 2025, 35347 of 2025, 37296 of 2025, 34949 of 2025 and 25095 of 2025 respectively. He has no criminal antecedent and there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has been prayed for.

Per contra learned A.G.A. has opposed the prayer for bail of the applicant,

but submits that similarly circumstanced aforesaid co-accused has already been granted bail by this Court.

Considering all above facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and *prima facie* case, but without commenting on merit of case, a case for bail is made out.

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

Let the accused-applicant, **Shivdayal Nishad**, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

January 20, 2026
Vinod.

(Ashutosh Srivastava, J.)