



2026:AHC:125282

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 17243 of 2026

Jay Bahadur Prasad

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Nikhil Chandra Upadhyay, Ripusudan
Dubey

Counsel for Opposite Party(s) : G.A.

Court No. - 7

HON'BLE JAI PRAKASH TIWARI, J.

Heard learned counsel for the applicant and learned AGA for the State-respondent and perused the record of the case.

The instant application has been filed seeking release of the applicant on bail in Case Crime No. 170 of 2025, under Sections 419, 420, 467, 468, 471 IPC, Police Station- Maharajganj, District- Azamgarh, during pendency of the trial in the court below.

The FIR of the present case was lodged against applicant and co-accused Anil Yadav on 7.6.2025. As per the allegations contained in the FIR, the informant and other victims allegedly paid Rs. 8,00,000/- to applicant and co-accused Anil Yadav under the pretext of arranging overseas employment and provided visas and passports. The victims were directed to report at Mumbai and Delhi Airports on 10.07.2023; however, during checking at airport, the visas provided to them were found to be forged and their tickets were cancelled. It is further alleged that the accused persons thereafter refused to provide valid visas, return the passports, or refund the money.

Learned counsel for the applicant submitted that the applicant is absolutely innocent and has been falsely implicated in the present case due to some ulterior motive. It is next submitted that applicant is having no concern with the allegations levelled against him and he has not committed any offence as alleged by prosecution. It is next submitted that

applicant is a mere computer operator in the office of co-accused Anil Yadav and get salary for his job. It is next submitted that during the alleged transactions, co-accused Anil used the UPI of the applicant for receiving the money but applicant returned the entire amount to co-accused Anil Yadav, who was agent. It is next submitted that co-accused Anil Yadav has been released on anticipatory bail by co-ordinate Bench of this Court vide order dated 25.3.2026 passed in Criminal Misc. Anticipatory Bail Application No. 2315 of 2026. He next submitted that apart from the present case, applicant is not having any other criminal history and he is languishing in jail since 31.3.2026.

The prayer for bail has been vehemently opposed by learned A.G.A.

Keeping in view the nature of the offence, evidence, complicity of the accused, severity of the punishment, and submissions of learned counsel for the parties, this Court is of the view that the applicant is entitled to be enlarged on bail during the pendency of the trial.

Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

Let applicant, **Jay Bahadur Prasad** be released on bail in the aforesaid case on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of the court concerned subject to the following conditions:-

- i. The applicant will continue to attend and co-operate in the trial pending before the court concerned on the date fixed after release.
- ii. He will not tamper with the witnesses.
- iii. He will not indulge in any illegal activities during the bail period.

It is further directed that the identity, status and residence proof of the sureties be verified by the authorities concerned before they are accepted.

In case of breach of any of the above conditions, the trial court will be at liberty to cancel the bail.

It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Jai Prakash Tiwari,J.)

June 4, 2026

KK Patel