



2026:AHC:125041

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 9980 of 2026

Ashok Kumar Pandey

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Anand Kumar Yadav, Rahul Saxena
Counsel for Opposite Party(s)	: Saksham Srivastava, Shekhar Gangal, G.A., Raghvendra Singh

Court No. - 5

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Rahul Saxena, learned counsel for the applicant, Sri Rupesh Srivastava, Advocate, holding brief of Sri Raghvendra Singh, learned counsel for the first informant and Sri O.P. Singh, learned AGA for the State-respondents and perused the record.
2. The present bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of applicant with a prayer to release him on bail in Case Crime No. 321 of 2025, under Sections 103(1), 61(2), 351(3) of B.N.S., registered at Police Station Rorawar, District Aligarh, during pendency of the trial.
3. It has been argued by the learned counsel for the applicant that co-accused Pooja Shakun Pandey @ Annapurna Bharti has already been granted bail by the Co-ordinate Bench of this Court vide order dated 13.04.2026 passed in Criminal Misc. Bail Application No.9959 of 2026. It is further submitted that as per FIR itself applicant and co-accused Pooja Shakun Pandey @ Annapurna Bharti have been assigned the role of hatching criminal conspiracy, whereas, the main allegation has been assigned against the two unknown persons riding on motorcycle. It is further submitted that during investigation the call detail record of the applicant with suspected persons namely Faizal, it has transpired that 27 calls were made between 04.08.2025 to 14.09.2025. It is further submitted that apart from that there is no evidence against the applicant. As per call detail record the co-accused Pooja Shakun Pandey @ Annapurna Bharti with the said person it has transpired that co-accused Pooja Shakun Pandey @ Annapurna Bharti has made 11 calls to the

said persons during the said period. The applicant is languishing in jail since 28.09.2025 and the applicant is having criminal history, which has been explained, undertakes that he will not misuse the liberty, if granted. It has also been pointed out that in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial.

4. On the other hand, learned A.G.A. and learned counsel for the first informant have opposed the prayer for grant of bail to the applicant and it is submitted that applicant has been assigned the role of criminal conspiracy.

5. As per FIR itself applicant and co-accused Pooja Shakun Pandey @ Annapurna Bharti have been assigned the role of hatching criminal conspiracy, apart from the call detail record between applicant and the suspected accused persons namely Fazal 27 calls are said to have been made by the applicant to the said person between 04.08.2025 to 14.09.2025, the co-accused Pooja Shakun Pandey @ Annapurna Bharti made 11 calls to the said person during the aforesaid period. Pooja Shakun Pandey @ Annapurna Bharti has already been granted bail by the Co-ordinate Bench of this Court vide order dated 13.04.2026 passed in Criminal Misc. Bail Application No.9959 of 2026.

6. Upon considering the totality of facts, nature and the evidence reflected from record and without expressing any opinion on merits of the case, I find it to be a fit case for bail. Hence, the present bail application is ALLOWED.

7. Let the applicant- **Ashok Kumar Pandey** involved in the aforesaid case crime be released on bail on his furnishing a personal bond of Rs. 1,00,000/- with two sureties each in the like amount to the satisfaction of the Court concerned with the following conditions :-

(i) 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 them from disclosing such facts to the court or to any police officer or tamper with the evidence.

(ii) The applicant shall not pressurize/intimidate the prosecution witnesses.

(iii) 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 351 of B.N.S.S.

(iv) The applicant shall file an undertaking to the effect that he shall not seek any unnecessary adjournment on the dates fixed for evidence when the witnesses are present in the trial court.

(v) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

9. It is clarified that anything said in this order is limited to the purpose of determination of this bail application and will, in no way, be construed as an expression on the merits of the case. The trial court shall be absolutely free to arrive at its independent conclusions on the basis of evidence led unaffected by anything said in this order.

June 3, 2026
Imtiyaz

(Jitendra Kumar Sinha,J.)