



2026:AHC:125267

**HIGH COURT OF JUDICATURE AT ALLAHABAD**  
**CRIMINAL MISC. BAIL APPLICATION No. - 17406 of 2026**

Ashok Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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|-------------------------------|---|--------------------------|
| Counsel for Applicant(s)      | : | Swati Agrawal Srivastava |
| Counsel for Opposite Party(s) | : | G.A.                     |

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**Court No. - 5**

**HON'BLE JITENDRA KUMAR SINHA, J.**

1. Heard Sri Amit Kumar, Advocate, holding brief of Ms. Swati Agrawal Srivastava, learned counsel for the applicant, Sri G.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. 01 of 2025 under Sections 318(4), 111(2B), 3(5) BNS, 66C, 66D I.T. Act registered at Police Station Cyber Crime, District Budaun during pendency of the trial.

3. It has been argued by learned counsel for the applicant that two first information reports were lodged of the same incident, one, on the direction of the High Court and the other on the direction of C.J.M., Budaun. It is further submitted that applicant has been granted bail in the FIR registered by the High Court being Case Crime No. 05 of 2025 by a Co-ordinate Bench of this Court. It is further submitted that no monetary transaction is said to have taken place in the bank account of the applicant and his name has surfaced in the confessional statement of co-accused Akash Verma. It is further submitted that some unknown caller made a call to C.J.M., Budaun stating that he is a sitting Judge of the High Court and asked him to transfer some amount in his bank account as he is in need of money. On this, C.J.M. got suspicious and made inquiry from the High Court and it was transpired that no such call was made by any sitting Judge of the High Court. Applicant has no criminal history and and he has been languishing in jail since 13.3.2025. In case, he is granted bail, he will not misuse the liberty of bail

and would cooperate in the trial proceedings.

4. Per contra, learned A.G.A. has vehemently opposed the prayer for bail.

5. As per FIR, some unknown caller made a call to C.J.M., Budaun asking him to transfer some amount in his bank account stating that he is a sitting Judge of the High Court and he is in need of money. On this, C.J.M. Budaun inquired from the High Court and it was found that no such call was made by any sitting Judge. During investigation, name of the applicant has surfaced in the confessional statement of Akash Verma. No monetary transaction has taken place in the bank account of the applicant who is in jail since 13.3.2025.

6. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of ***Kapil Wadhawan vs Central Bureau of Investigation*** reported in 2025 SCC OnLine SC 3038 as well as guideline of this Court in the case of ***Maya Tiwari Vs. State of U.P.*** reported in 2024 SCC Online All 6765 regarding grant of bail and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

7. Accordingly, the present application is **ALLOWED**.

8. Let the applicant **Ashok Kumar** 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:-

(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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(ii) The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.

(iii) The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

(iv) The applicant shall attend in accordance with the conditions of the bond executed by him.

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

**10.** Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

**11.** It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

**12.** Office is directed to send a copy of this order to the applicant through **concerned Jail Superintendent** via e-mail or e-prison portal within 24 hours in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021 decided on 31.01.2023** reported in (2024) 10 SCC 685.

**June 4, 2026**  
Madhurima

**(Jitendra Kumar Sinha,J.)**