



2026:AHC:124626

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 19090 of 2026

Neeraj Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Lok Nath Shukla, Prem Shankar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 5

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Prem Shankar, learned counsel for the applicant and Sri Manoj Gautam, learned A.G.A. for the State and perused the record.

2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 41 of 2026, under Sections 318(4), 336(3), 338, 340(2), 111(3), 61(2), 308(6) BNS and Section 66(C), 66(D) of IT Act, Police Station Reuna, District Kanpur Nagar, during the pendency of the trial.

3. Learned counsel for the applicant has submitted that the applicant has been falsely implicated in the present case though there is no incriminating material against him. It is further submitted that as per FIR 37 named and some unknown have been made accused and various electronic items including 22 mobile phones, some forged Aadhar cards and ATM cards are said to have been recovered from the joint possession of 20 accused persons including the applicant. It is submitted that apart from confessional statement of the applicant before the police there is no other evidence against the applicant. It is further submitted that the applicant is having no criminal history. The applicant has been languishing in jail since 8.4.2026. 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 but could not dispute the aforesaid facts, however, it is submitted that the applicant and other co-accused were arrested by the police and from their possession various incriminating articles have been recovered and four complaints have also been filed against them.

5. As per FIR, 37 named and some unknown have been made accused and various electronic items including 22 mobile phones, some forged Aadhar cards and ATM cards are said to have been recovered from the joint possession of 20 accused persons including the applicant. The applicant is said to have confessed his guilt before the police that he indulged in cyber fraud and apart from that there is no evidence against the applicant. The applicant is having no criminal history.

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- **Neeraj 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 2, 2026
Abhishek

(Jitendra Kumar Sinha,J.)