



2026:AHC-LKO:21457

**HIGH COURT OF JUDICATURE AT
ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 1970 of 2026

Jai Vishwakarma @ Dhiraj

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Deptt. Lko.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Dinesh Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 28

HON'BLE RAJEEV BHARTI, J.

1. Heard learned counsel for the applicant, learned Additional Government Advocate for the State and perused the record.

2. It is alleged in the prosecution case that in the night of 4.2.2026 at about 2.30a.m., an unknown thief broke open a silver umbrella, silver gilded urn, donation box in which there were 7-8 kg. silver and hundreds of rupees.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated. There is no public witness of alleged recovery of silver from the shop of applicants mother. The applicant has been made accused on the basis of his confessional statement of the co-accused Virendra Kumar Kahar who has stated that the stolen items were sold to the applicant for a sum of Rs.40,000/- in police custody. The applicant has explained the criminal history of two cases in para 16 of the bail application and one case in the supplementary affidavit. The applicant is in jail since 6.2.2026.

It is further submitted that there is no possibility of the applicant of fleeing away after being released on bail or tampering with the witnesses.

In case the applicant is enlarged on bail, he shall not misuse the liberty of bail.

4.Learned A.G.A. opposed the prayer for bail but could not dispute the aforesaid facts as argued by the learned counsel for the applicant.

5.Considering the facts and circumstances of the case, the fact that the applicant has explained criminal history, the applicant is not named in the first information report, the offences are triable by Magistrate, arguments advanced by learned counsel for the parties, the period for which the applicant is in jail and without expressing any opinion on the merit of the case, I find it to be a fit case for enlarging the applicant on bail.

6.Let the applicant Jai Vishwakarma alias Dhiraj, involved in Case Crime No.040 of 2026 under sections 305(D), 317(2), 331(4), 317(4) BNS, P.S. Haidargarh, district Barabanki 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 which are being imposed in the interest of justice:-

(i) The applicant will not tamper with the prosecution evidence during the trial.

(ii) The applicant will not pressurize/ intimidate the prosecution witness.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court and he shall appear on each and every date fixed by the trial Court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

Any other condition(s) which the trial court/court concerned may deem fit and proper, in the circumstances of the case, may also be imposed.

7.The application is allowed accordingly.

It is clarified that the observations made in this order are confined to the present bail application and shall have no bearing on the merit of the

trial.

March 25, 2026

kkb/

(Rajeev Bharti,J.)