



2026:AHC:128925

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 21466 of 2026

Arun Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 68

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Shiv Kumar Singh, learned counsel for the applicant as well as Shri Vinay Kumar Pandey, learned AGA for the State.

2. This is an application under Section 483 BNSS filed on behalf of the applicant, Arun Kumar, for enlarging on bail in connection with Case Crime No. 70 of 2024, under Sections 467, 468, 471, 504, 506, 120B, and 379 IPC, Police Station Tindwari, District Banda. Learned counsel for the applicant has submitted that a First Information Report bearing No. 0070 of 2024 came to be lodged by the opposite party against the applicant and one co-accused on 04.04.2024, under Sections 420, 467, 468, 471, 504, 506 IPC. The allegation is that the co-accused happened to be an employee of the first informant. However, while stealing the cheque leaflets, certain amounts stood debited from the account of the first informant, and on being asked to return the same, the applicant did not return the same. Learned counsel for the applicant submits that the applicant has not committed any offence, he is innocent. There is no question of misappropriation. The amount of Rs. 1,98,000/- which is stated to have been debited from the bank account of the first informant, is nothing but a payment made to the applicant. Learned counsel for the applicant has further submitted that the applicant does not possess any criminal history and he is languishing in jail since 17.04.2026.

3. Learned AGA, on the other hand, submits that cognizable offences are made out. However, he could not dispute the fact that the applicant has explained the criminal history.

4. Considering the submissions made across the bar, the complicity of the

matter including the overall fact situation, and also the fact that the criminal history has been explained and the applicant is in jail since 17.04.2026.

5. Let applicant-Arun Kumar be released on bail in Case Crime No. 70 of 2024, Under Section 467, 468, 471, 504, 506, 120B, 379 I.P.C., Police Station-Tindwari, District-Banda on his furnishing a personal bond with two sureties each of the like amount to the satisfaction of the court concerned subject to following conditions:-

(i) The applicant shall not tamper with the evidence or threaten the witnesses.

(ii) 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. In case of default of this condition, it shall be open for the trial court to treat it as an abuse of liberty of bail and pass orders in accordance with law.

(iii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 229-A of the Indian Penal Code.

(iv) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 82 Cr.P.C. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 174-A of the Indian Penal Code.

(v) 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 313 Cr.P.C. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

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

7. In case of breach of any of the above conditions, the trial court will be at liberty to cancel the bail. Any observations made in granting bail to the

applicant shall not in any way affect the learned Trial Court Judge in forming his independent opinion based on the testimony of the witnesses.

8. Accordingly, the bail application is **allowed**.

June 24, 2026
Rajesh

(Vikas Budhwar,J.)