



2026:AHC:126467

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 14074 of 2026

Kayamuddin Alias Kayamu

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Dinesh Kumar Gupta, Raghawendra Singh, Rajneesh Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 6

HON'BLE MRS. VANI RANJAN AGRAWAL, J.

1. Heard learned counsel for the applicant and Mr. Gyan Bahadur Patel, learned A.G.A. for the State respondent.
2. The present bail application has been filed by the applicants seeking bail in Case Crime No.04 of 2026, under Sections 305(Gha), 331(4), 317(2) of Bhartiya Nyay Sanhita, Police Station- Sukhpura, District - Ballia.
3. Learned counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present crime. It is submitted that there is inordinate delay about the lodging of first information report and no plausible explanation has been given about the delay; that false recovery of some stolen articles have been shown from the possession of applicant; no specific role has been assigned to the applicant; there is no independent witness of the alleged recovery memo; the criminal history of the applicant has been properly explained in paragraph nos.20 to 23 of the bail application. It is stated that after taking note of entire facts and circumstances of the case, co-accused, namely Patharu @ Pataru Nat, has already been enlarged on bail by this Court vide order dated 26.5.2026 passed in Criminal Misc. Bail Application No.16114 of 2026. Accordingly, the applicant is also entitled for bail. It is also submitted that there is no apprehension that after being released on bail, applicant may flee

from the course of law or may, otherwise, misuse the liberty of bail and the applicant is in jail since 15.1.2026 and the possibility of conclusion of trial in near future is very bleak.

4. Learned A.G.A. has, however, opposed the prayer for grant of bail, but he has not disputed the above contention made by the learned counsel for the accused-applicant.

5. Considering the facts and circumstances of the case, perusing the record and also considering the nature of allegations, arguments advanced by the learned counsel for the parties and without expressing any opinion on the merit of the case, I find it to be a fit case for granting bail.

6. Let the applicant - **Kayamuddin Alias Kayamu** be released on bail in the aforesaid case crime number on his/her furnishing personal bond and two reliable sureties each of the like amount to the satisfaction of the court concerned subject to following conditions:-

(i) The applicant shall file an undertaking to the effect that applicant 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 abuse of liberty of bail and pass orders in accordance with law.

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

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

(iv) 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 the applicant in accordance with law.

7. Any violation of above conditions will be treated misuse of bail and learned Court below will be at liberty to pass appropriate order in the matter regarding cancellation of bail.

8. The bail application is finally **disposed of**.

June 9, 2026

Vandana Y.

(Mrs. Vani Ranjan Agrawal,J.)