



2026:AHC:125510

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 14671 of 2026

Hemant Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Seema Kushwaha
Counsel for Opposite Party(s)	:	G.A.

Court No. - 5

HON'BLE JITENDRA KUMAR SINHA, J.

1. Vakalatnama filed by Mrs. Kusum Mishra, learned counsel on behalf of the applicant is taken on record.
2. Heard Mrs. Kusum Mishra, learned counsel for the applicant and Sri Shiv Dutt Shukla, learned AGA for the State-respondents and perused the record.
3. 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. 02 of 2026, under Sections 143(5) BNS, registered at Police Station Anti Human Trafficking Unit, District Mirzapur, during pendency of the trial.
4. It has been argued by the learned counsel for the applicant that applicant is innocent and he has been falsely implicated in this case and he has been languishing in jail since 7.3.2026. It is further submitted that chargesheet has already been submitted and as per FIR it is alleged that some minor children are said to have recovered from railway platform and it is alleged that they were being taken for employment as child labour by the applicant. It is further submitted that the applicant is having no criminal history. It is also submitted that the applicant undertakes that he will not misuse the liberty, if granted. It has also been pointed out that in

the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial.

5. On the other hand, learned A.G.A. has opposed the prayer for grant of bail to the applicant, however, it is submitted that minor children were being trafficked for the purpose of child labour.

6. Chargesheet has already been submitted and as per FIR some minor children are said to have been recovered from a railway platform and it is alleged that they were being taken for employment as child labour by the applicant. The applicant is having no criminal history and he has been languishing in jail since 7.3.2026.

7. Upon considering the totality of facts, nature and the evidence reflected from record and without expressing any opinion on merits of the case, I find it to be a fit case for bail. Hence, the present bail application is **ALLOWED**.

8. Let the applicant- **Hemant Kumar** involved in the aforesaid case crime be released on bail on his furnishing a personal bond of Rs. 50,000/- with 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 not pressurize/intimidate the prosecution witnesses.

(iii) 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 351 of B.N.S.S.

(iv) 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 the trial court.

(v) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel.

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

10. It is clarified that anything said in this order is limited to the purpose of determination of this bail application and will in no way be construed as an expression on the merits of the case. The trial court shall be absolutely free to arrive at its independent conclusions on the basis of evidence led unaffected by anything said in this order.

(Jitendra Kumar Sinha,J.)

June 4, 2026

Abhishek