



2026:AHC:124727

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 16695 of 2026

Saurabh Gupta

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ajit Kumar Singh
Counsel for Opposite Party(s) : G.A., Praveen Kumar Singh,
Syed Imran Ibrahim

Court No. - 6

HON'BLE ANIL KUMAR-X, J.

1. Heard learned counsel for the applicant, learned counsel for the informant and Shri R.K. Singh, learned Additional Government Advocate for the State.
2. The instant bail application has been filed on behalf of the applicant with a prayer to release him on bail in Case Crime No. 479 of 2021, Under Sections 420 and 409 B.N.S. Police Station- Cantt., District- Varanasi during the pendency of trial.
3. Learned counsel for the applicant submitted that he was made a scapegoat by the informant and his uncle, Sanjay Gupta. The informant was the owner of Suvidha Sari, located in District Varanasi. The informant has stated that Sanjay Gupta was the Chartered Accountant of his firm and that he introduced the applicant as his nephew and persuaded the informant to depute him at the firm. Subsequently, the applicant was deputed as Accountant/Manager of the firm by the informant. The informant, in order to evade tax, connived with his Chartered Accountant, Sanjay Gupta, and both of them established three shell firms. The applicant was shown as the owner of those firms. Subsequently, an amount of Rs. 70 lakhs from the firm of the informant was transferred to the firms allegedly owned by the applicant. Thereafter, the informant as

well as his Chartered Accountant, Sanjay Gupta, made false allegations against the present applicant after they apprehended that they would be arrested by the authorities for tax evasion. It was further submitted that no evidence, except the statement of the informant, has been recorded by the Investigating Officer during the prolonged investigation of five years. The statement of the informant also reflects that he was unable to produce the account books after the Investigating Officer asked him to tender the same. It was submitted that the applicant is innocent and has been falsely implicated by the informant and his Chartered Accountant, Sanjay Gupta, with intent to save themselves from the tax proceedings. The applicant is languishing in jail since 19.1.2026. It was contended that in the event he is enlarged on bail, he shall not misuse the liberty of bail and shall cooperate with the trial proceedings.

4. Per contra, Shri R.K. Singh, learned AGA as well as learned counsel for the private respondent submitted that three shell firms were established by the applicant and an amount of Rs. 70 lakhs was transferred into the accounts of the above three firms. A substantial amount, nearly Rs. 40 lakhs, was subsequently transferred into the personal account of the applicant from those firms. It was further submitted that the applicant remained absent during the entire proceedings, due to which the investigation prolonged for five years. He was arrested by the police after efforts to trace him by putting his mobile number under surveillance. It was submitted that the conduct of the applicant in opening shell firms and then transferring the amount of the informant's firm into those firms clearly reflects that the alleged act was not done with bona fide intention.

5. Heard learned counsel for the parties and perused the record.

6. There is no denial of the fact that the shell firms were opened by the applicant and that an amount of Rs. 70 lakhs

from the firm of the informant was transferred in favour of those three firms. Subsequently, an amount of nearly Rs. 40 lakhs was also transferred into the personal account of the applicant. The conduct of the applicant in remaining an absconder for five years further restrains this Court from granting any benefit to him. This Court does not find any good ground to enlarge the applicant on bail at this stage.

7. Accordingly, the bail application is **rejected**.

June 2, 2026

KJ

(Anil Kumar-X,J.)