2026:AHC:212967

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 23326 of 2026

Neeraj Tyagi

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ananya Upadhyay, Rahul Kumar Tyagi, Rakesh Chandra Upadhyay
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Heard Sri Rakesh Chandra Upadhyay, learned counsel for accused applicant and learned A.G.A. for State.

2. The present bail application has been moved by the applicant/ accused- **Neeraj Tyagi** to enlarge him on bail in Case Crime No. 89 of 2026, under Sections 318(4), 338, 336(3), 340(2) BNS, P.S.- Tronica City, District- Ghaziabad, during the pendency of trial.

3. It is the contention of learned counsel for applicant that the FIR has been lodged by the Executive Engineer of Awas Vikas Parishad on 19.03.2026 against the accused/applicant and other co-accused with the allegation that the accused/applicant has sold the land to co-accused Ashish, despite the fact that the land was already acquired in the year 1998 for Mandola Vihar Yojna, Ghaziabad. It is the contention of learned counsel that the property was in the name of accused/applicant in the revenue record. He has not accepted the compensation and therefore has sold the property. There are 18 cases against the accused/applicant, all related to the protest for enhancement of compensation. He has not been arrested in those cases as they are punishable with below seven years. The charge sheet is submitted. The accused applicant is languishing in jail since 21.05.2026. He seeks to be enlarged on bail.

4. Learned A.G.A. for State and learned counsel for the informant have opposed the prayer for bail.

5. This Court has taken into consideration the rival submissions made by learned counsel for the parties and perused the record.

6. Considering, initially the accused/applicant was owner of the property and he has apparently sold the property to the co-accused despite it's being acquired by the State considering that he has not withdrawn the compensation, the accused/applicant is entitled to be released on bail.

7. Hence, without touching merit of the case, the bail application is **allowed**.

8. The accused/applicant be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of court concerned in view of observation made by the Supreme Court in its dictums of **Girish Gandhi Vs. State of Uttar Pradesh [(2024) 10 SCC 674] and Policy Strategy for grant of bail in re [(2024)10SCC 685].**

9. The accused-applicant shall cooperate in judicial process for fair and speedy disposal.

(Avnish Saxena,J.)

October 9, 2026
Abhishek Sri.

Digitally signed by :-
ABHISHEK RANJAN SRIVASTAVA
High Court of Judicature at Allahabad