2026:AHC:212868

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 36223 of 2026**

Brajesh Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

| | | |
|---|---|---|
| Counsel for Applicant(s) | : | Yogesh Mishra |
| Counsel for Opposite Party(s) | : | G.A. |

**Court No. - 69**

**HON'BLE AVNISH SAXENA, J.**

1. Heard Sri Yogesh Mishra, learned counsel for accused applicant and learned A.G.A. for State.

2. The present bail application has been moved by the applicant accused-**Brajesh Kumar** to enlarge him on bail in Case Crime No. 853 of 2026, under Sections 318(4), 338, 336(3), 340(2) of BNS, P.S.- Kotwali Lalitpur, District- Lalitpur, during the pendency of trial.

3. It is the contention of learned counsel for applicant that the accused applicant has been falsely implicated in FIR dated 04.08.2026 lodged by the police with the allegation that while selecting the home guards, the accused applicant also came for his candidature. It is found that there are two Aadhar Cards on the biometrics of the accused and both the Aaadhar Cards carrying different date of birth. Further contended that the two Aadhar Cards have been prepared without the knowledge of the accused applicant. The accused applicant has no criminal history. There is no complicity of accused applicant to commit cheating. Charge sheet is submitted. The accused applicant is languishing in jail since 05.08.2026. He seeks enlargement of accused on bail.

4. Learned A.G.A. for State opposed the bail application.

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

6. Considering that the two Aadhar Cards have been prepared on the

same biometrics, 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**
Sharad/-

Digitally signed by :-
SHARAD KUMAR SRIVASTAVA
High Court of Judicature at Allahabad