



2026:AHC:51718

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 8541 of 2026

Syed Rashid Hashmi

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Preetam Singh, Vishesh Rajvanshi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Vishesh Rajvanshi, learned counsel for the applicant, Sri Rakesh Kumar Mishra, learned A.G.A. for the State and perused the record.
2. Instant bail application has been filed with a prayer to release the applicant on bail during the trial in Case Crime No. 162 of 2020, under Sections 406, 417, 419, 420, 467, 468, 471 IPC, Police Station- Sagra, District Varanasi.
3. Contention of learned counsel for the applicant is that as per the prosecution case the first informant being the agent of K.J.M. Land Developers India Ltd. persuaded the different investors to invest the money in the aforesaid company and thereafter instead of paying return of profit or invested money, the director of officer of the company closed the office and run away. It is further submitted by learned counsel for the applicant is that applicant is an employee of the company working as administrative officer/general manager and entire money was deposited by the applicant on behalf of the investors in the account of the company, if any fraud has been committed and that was committed by the director of the company. It is further submitted that identical situated co-accused Dilip Kumar Jain has already been granted bail by a co-ordinate Bench of this Court in Criminal Misc. Bail Application No.34288 of 2025 vide order dated 28.11.2025. Therefore, the applicant is entitled to be released on bail on the ground of parity. He further submitted that charge sheet has been filed by the police, therefore, there is no requirement for custodial interrogation. The applicant has explained the criminal history in paragraph nos. 22 and 23 of the

affidavit which are nothing but cut and paste of the present FIR was lodged in the year 2019 by one of the investors and he is languishing in jail since 07.11.2019. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. On the other hand, learned A.G.A. for the State opposed the prayer for bail but could not dispute the aforesaid fact.

5. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of **Kapil Wadhawan vs Central Bureau of Investigation** reported in **2025 SCC Online SC 3038** and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant- **Syed Rashid Hashmi** involved in the aforementioned crime be released on bail, on his furnishing a personal bond and 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 cooperate in the trial/investigation sincerely without seeking any adjournment.

iii. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

iv. The applicant shall attend in accordance with the conditions of the bond executed by him.

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

8. Identity, status and residence proof of the applicant and sureties be

verified by the court concerned before the bonds are accepted.

9. It is made clear that the applicant shall be released on the basis of downloaded copy of this order from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within 15 days.

10. It is directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

11. Office is directed to send a copy of this order to the applicant through concerned Jail Superintendent via e-mail or e-prison portal in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No. 4 of 2021 decided on 31.01.2023** reported in **(2024) 10 SCC 685**.

March 13, 2026
A.Kr.

(Arun Kumar Singh Deshwal,J.)