



2026:AHC:56614

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 6405 of 2026

Babloo Yadav @ Billa

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

| | | |
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| Counsel for Applicant(s) | : | Manish Yadav |
| Counsel for Opposite Party(s) | : | G.A. |

Court No. - 69

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Manish Yadav, learned counsel for the applicant, Sri Anoop Trivedi, learned Additional Advocate General, assisted by Sri Pankaj Saxena, 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. 401 of 2025, under Sections 309(6), 317(2) BNS, Police Station- Etmaddaula, District Agra.
3. This matter was heard on 13th March, 2026. On that date, the Court found that though the notice was handed over to the concerned Pairokar on 16.02.2026 by the office of Joint Director (Prosecution), High Court Allahabad and reminder was also sent on 24.02.2026 but instruction was not supplied till 13th March, 2026. Therefore, this Court directed to the Commissioner of Police, Agra as well as Director of Prosecution, U.P. to appear in person before this Court through V.C., to assist the Court.
4. Today, an affidavit of compliance along with exemption application has been filed on behalf of the Commissioner of Police, Agra, wherein it is submitted that because of his official engagement in the forthcoming visit of President of India, he could not personally appear before this Court and deputed Sri Ram Badan Singh, Additional Police Commissioner, Agra to appear before this Court through V.C.
5. From perusal of the aforesaid compliance affidavit, it is clear that the concerned investigating officer was found negligent in sending instructions to the office of Government Advocate despite receiving the bail notice on

23.02.2026. It was further mentioned in the affidavit that the concerned I.O. was suspended and an inquiry was directed against him. It has also been mentioned in the para 8 of the compliance affidavit that the concerned I.O. has signed the instructions on 11.03.2026 and dispatched the notice to the office of Joint Director (Prosecution), High Court Allahabad through email on 13.03.2026 at 3.07 pm which is available on record. The Additional Commissioner of Police, Agra further assures, no such negligence will be occurred in future and the Commissioner of Police will ensure early sending the instructions to Government Advocate's office.

6. Sri Anoop Trivedi, learned Additional Advocate General has also informed that he has instructed the office of Government Advocate to remain alert regarding the instructions in bail matters and letters be also sent to District Police Chief in this regard. He further informed that copy of criminal writ and habeas corpus are being scanned in the office of Government Office and as on date, bail applications are not being scanned because of insufficient staffs. He further submits that whenever sufficient staffs is available, bail applications shall also be scanned and digitized. He further apprises the Court that an E-Manu App has been prepared to send alert as well as to access digitized data to all stake holders. He has also sent a letter dated 03.01.2026 to the Principal Secretary (Law) and Legal Remembrancer (L.R.), Government of U.P. regarding feeding of real time data on E-Manu App and suggestion to increase the efficiency of E-Manu App.

7. Considering the aforesaid suggestion of Additional Advocate General, this Court is of the view that the State Government should increase the strength of staffs in the office of Government Advocate so that real time data could be fed as well as scanning the other criminal files including the bail applications could be done, so that required instructions can be obtained from the police and other agencies expeditiously.

8. The Principal Secretary (Law), U.P. as well as Chief Secretary, Government of U.P., Lucknow are directed to look into the matter and provide efficient staffs for the office of Government Advocate as well as timely feeding of data on E-Manu App.

9. This Court further observed that for increasing efficiency in the Government Advocate's office as well as in the office of Joint Director, Prosecution, High Court Allahabad, young Advocates or fresh Law Graduates, who are well-versed with the computer and digital technology

should be engaged on honorary basis as Research Associates just like State of Odisha (Office of Advocate General).

10. Director Prosecution is also directed to look into the issue and co-ordinate with the State Government for remedial measures.

11. Personal appearance of Commissioner of Police, Agra, Director of Prosecution, U.P. and Joint Director, Prosecution, High Court Allahabad are exempted.

12. Learned counsel for the applicant submitted that he was not named in the FIR. Subsequently the applicant along with two other accused persons were arrested and on the basis of recovery of Rs.500/-, one country made pistol and one bag of scrape near the motorcycle, the applicant has been falsely implicated. It is further submitted that there is no incriminating material against the applicant. He lastly submitted that the applicant has explained the criminal history of four cases in the accompanying affidavit and he is languishing in jail since 02.01.2026. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

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

14. 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.

15. Let the applicant- **Babloo Yadav @ Billa** 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.

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

17. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

18. 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.

19. 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.

20. 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**.

21. **Registrar (Compliance)** is directed to communicate this order to Principal Secretary (Law), Chief Secretary, Govt. of U.P., as well as Director of Prosecution, U.P. for its compliance.

March 19, 2026
A.Kr.

(Arun Kumar Singh Deshwal,J.)