



2026:AHC:213930

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33570 of 2025

Sachin Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Man Bahadur Singh, Saurabh Kumar,
Shweta Nishad
Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Ms. Shweta Nishad, learned counsel for the applicant, Sri Patanjali Mishra, Government Advocate along with Sri Pankaj Saxena, learned A.G.A. for the State and perused the record.

2. The instant bail application has been filed with a prayer to release the applicant on bail during the trial in Case Crime No.373 of 2024, under Sections 64(1) B.N.S. and Section 66E, 67A of I.T. Act, Police Station Maharajganj, District Azamgarh.

3. In pursuance of the order dated 29.09.2026, SSP, Azamgarh, Dr. Anil Kumar-II is present and also filed an affidavit of compliance mentioning therein that immediately after receiving the letter dated 07.09.2026 of Sri Anurag Pandey, learned AGA, he immediately forwarded the same on 08.09.2026 to Writ Cell for compliance. Thereafter, this letter was also received in the police station- Maharajganj and receiving of same was also mentioned as GD entry dated 08.09.2026 at 18:43 hours. Thereafter, it was found that though that letter was received by one Sub-Inspector, Subash Singh but he kept the same with him and instead of compliance, immediately after receiving the information of the order dated 16.09.2026, he sent a letter dated 18.09.2026 to SHO, Maharajganj and copy of the same was also forwarded to the Additional S.P., U.P.P.C.L. DISCOM, Varanasi for ensuring the presence of Inspector, Vinay Kumar Mishra (I.O.). It is further submitted that through letter dated 18.09.2026, it

was specifically directed to SHO, Maharajganj to execute the NBW issued against I.O., Vinay Kumar Mishra. A preliminary enquiry was also conducted and it was found that SHO, Maharajganj was also found negligent for non-compliance of the order of this Court. Therefore, show cause notice has been issued to SHO, Maharajganj as well as S.I., Subhash Singh and appropriate action would be taken against them.

4. However, SSP, Azamgarh submitted his apology for not executing the NBW personally against the I.O., Vinay Kumar Mishra and he was under the impression that ensuring the presence of the I.O., Vinay Kumar Mishra was sufficient for compliance. Though, this is not correct legal position and the correct legal position is whenever any police officer receives an NBW issued by the High Court to be executed by him, then he should personally ensure the arrest of that person and produce him/her before the High Court as in NBW issued by the High Court, district court can grant bail. However, considering the unblemished record of SSP, Azamgarh, this Court is closing this matter without making any further order, with the expectation that in future, he will be more careful with regard to execution of NBW issued by the High Court.

5. This Court also appreciates the humane gesture of the SSP, Azamgarh which was widely circulated in newspapers and on social media with regard to adopting two minor daughters of a criminal, who had killed his wife and another child, who later on died in a police encounter.

6. So far as the misconduct on the part of the PRO of SSP is concerned, the SSP, Azamgarh has mentioned in paragraph nos.17 to 20 that immediately after getting into the knowledge, that the PRO, Rajesh Kumar Singh has misbehaved with Sri Anurag Pandey, learned AGA while he was trying to inform him about the order of this Court over mobile phone, a show cause notice was issued to him and also removed him from the post of PRO. This prompt act on the part of SSP, Azamgarh deserves appreciation.

7. This Court is of the view that learned AGAs are officers of the

Court. Whenever they inform to any officer about the compliance of the order of this Court, they are discharging their duty in compliance of the order of the Court and misbehaving with them by any officer may be the top-most officer of the State will amount to contempt. In the present case also, the PRO of SSP, Azamgarh, Sri Rajesh Kumar Singh, who is also present in the Court, misbehaved with Sri Anurag Pandey, learned AGA while he was trying to inform him about the order of this Court dated 16.09.2026 on 04.09.2026 through mobile phone. Therefore, this Court instead of passing any stricture against him, directs that he be taken into custody and he will remain in the custody of court till 5 pm, whereafter he shall be released.

8. Director General of Police, U.P., Lucknow is directed to issue circular to all the police officers that whenever any State Law Officer of the High Court informs about the order of this Court for compliance, then any misbehaviour on the part of any officer will be treated as a contempt of this Court and shall be dealt with strictly in accordance with law.

9. Contention of counsel for the applicant is that though in the FIR the allegation has been made that after fixing the marriage of the applicant and the victim, the applicant remained in contact with the victim and during this period, he is alleged to have prepared obscene video and photographs of the victim; thereafter the applicant started blackmailing the victim and when the victim refused to pay Rs.2 lacs to the applicant, then the obscene video and photographs of the victim were uploaded on the fake Facebook I.D. in the name of one Rakesh Yadav. It is further submitted that the Facebook I.D. of Rakesh Yadav does not belong to the applicant, therefore, the applicant has been falsely implicated. Applicant has no criminal history. He is languishing in jail since 01.03.2025. In case, the applicant is released on bail, he will not misuse the liberty of bail and would cooperate in the investigation/trial proceedings.

10. Per contra, learned A.G.A. vehemently opposed the prayer for bail and submitted that from perusal of the pendrive, it is clear that the applicant uploaded the obscene video and photographs of the

victim on Facebook through the fake I.D. of one Rakesh Yadav, and during investigation it was found that the fake I.D. in the name of one Rakesh Yadav was created by the applicant on 08.09.2024 and thereafter the applicant started uploading the obscene video and photograph of the victim thereon, and thereafter the FIR was lodged, therefore, the applicant is not entitled to be released on bail.

11. Considering the aforesaid submissions of learned counsel for the parties and taking into account the report of the Cyber Cell, it is clear that the applicant after creating fake Facebook I.D. in the name of one Rakesh Yadav on 08.09.2024 uploaded the obscene video and photograph of the victim on Facebook, therefore, this Court is not inclined to release the applicant on bail, at this stage.

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

13. **Registrar (Compliance)** is directed to send a copy of this order to Director General of Police, U.P., Lucknow for necessary compliance.

(Arun Kumar Singh Deshwal,J.)

October 12, 2026

CS/S.C.