



2025:0004-1 K0:29854

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2038 of 2025**

Gulshan Singh

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko. And
Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Pankaj Kumar Shukla, Suneel Kumar
Mishra

Counsel for Opposite Party(s) : G.A.

Court No. - 15

HON'BLE KARUNESH SINGH PAWAR, J.

The present anticipatory bail application has been filed seeking anticipatory bail in case crime Case Crime no. 221/2025, Under Sections-3(1) U.P. Gangster and Anti Social Activities (Prevention) Act, 1986, Police station-Kauriya, District- Gonda.

Heard learned counsel for the applicant and learned A.G.A. for the State.

Learned counsel appearing on behalf of the applicant submits that only a single case has been shown against the applicant in the gang chart and in connection with the said case, the applicant has already been enlarged on regular bail. It is further contended that the applicant has been falsely implicated in the present matter and a bare perusal of the allegations would demonstrate that the essential ingredients required to constitute the alleged offence are absent.

Learned counsel for the applicant further submits that the co-accused, namely Ashish Singh @ Vishu Singh, has been granted anticipatory bail by this Court vide order dated 26.11.2025 passed in Criminal Misc. Anticipatory Bail Application under Section 482 BNSS No. 1802 of 2025. On the strength of the said order, it is urged that the applicant stands on an identical footing and is, therefore, entitled to the benefit of parity.

Per contra, learned AGA has vehemently opposed the anticipatory bail application, submitting that the applicant is a habitual offender and possesses a long and chequered criminal history, which disentitles him from any discretionary relief under Section 482 BNSS.

Perused the record.

A perusal of the anticipatory bail order granted in favour of the co-accused Ashish Singh @ Vishu Singh reveals that the said co-accused did not have any criminal antecedents at the time of consideration of his bail application. On the other hand, the applicant herein is shown to be involved in as many as eight criminal cases, thereby clearly distinguishing his case from that of the co-accused and negating the claim of parity.

Further perusal of the record shows that the base case reflected in the gang chart pertains to an offence under Section 109(1) of the Bharatiya Nyaya Sanhita. In addition thereto, the applicant is also involved in several other criminal cases, including serious and grave offences. The criminal antecedents of the applicant include two cases registered under Section 307 of the Indian Penal Code, as well as cases under the NDPS Act and the POCSO Act, which are undoubtedly offences of a heinous nature.

In view of the aforesaid facts and circumstances, and considering the long and chequered criminal history of the applicant involving serious and heinous offences, this Court is not inclined to exercise its extraordinary jurisdiction in favour of the applicant.

Accordingly, the anticipatory bail application is hereby ***rejected***.

(Karunesh Singh Pawar,J.)

December 17, 2025
R.C.