2026:AHC-LKO:40582

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. BAIL APPLICATION No. - 2474 of 2026

Rajnish @ Pooti

.....Applicant(s)

Versus

State Of U.P.Thru. Addl. Chief Secy. Deptt. Home Govt. Sectt. Lko.

.....Opposite Party(s)

Counsel for Applicant(s) : Dheeraj Kumar Yadav, Samar Bahadur Yadav
Counsel for Opposite Party(s) : G.A.

Court No. - 11

HON'BLE RAJEEV SINGH, J.

1. Second supplementary affidavit filed by learned counsel for the applicant is taken on record.

2. Heard learned counsel for the applicant, learned A.G.A for the State of U.P. and perused the record.

3. The present bail application has been filed on behalf of the applicant in Case Crime No.0496 of 2025, under Sections 2 & 3 U.P. Gangster and Anti Social Activities (Prevention) Act, Police Station - Mill Area, District - Raebareli, with the prayer to enlarge him on bail.

4. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the case and he is in jail since 14.12.2025. It is further submits that description of two cases have been shown against the applicant in the gang chart and in the said cases applicant is on bail (bail order is annexed as Annexure No.2 to the bail application). He also submits that applicant was also implicated in 17 other cases, and as he is very poor, he is not in a condition to contest his cases, therefore, in five cases, he pleaded guilty and in rest of cases, he is on bail. He further submits that charge sheet has already been filed and there is no evidence in support of the alleged offence, in such circumstances, the applicant is entitled for bail. In case of being enlarged on bail, he will not misuse

the liberty of bail.

5. Learned A.G.A. has opposed the prayer for grant of bail, but has fairly conceded that in the cases mentioned in the gang chart, applicant is on bail.

6. Considering the rival submissions of learned counsel for parties, material available on record, contents of F.I.R., other relevant documents, nature of offence, gang chart and bail orders of the applicant in the cases mentioned in the gang chart, this Court finds that condition of Section 19(4) of the Gangster Act are properly complied with, the applicant is not guilty of such offence, therefore, he is entitled to be released on bail.

7. Let applicant - **Rajnish @ Pooti** - be released on bail in aforesaid Case Crime, on his furnishing personal bond and two reliable sureties each of the like amount to the satisfaction of the court concerned subject to following conditions:-

(i) The applicant shall not commit or participate in any offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(ii) 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.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the Trial Court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(iv) The applicant shall remain present before the Trial Court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the Trial Court may proceed against him under Section 229-A IPC/269 BNS.

(v) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C./84 BNS, may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the Trial Court shall initiate proceedings against him, in accordance with law, under Section 174-A IPC/209 BNS.

(vi) The applicant shall remain present, in person, before the Trial Court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C./351 BNS. If in the opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

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

(Rajeev Singh,J.)

June 8, 2026
GauraV/-

Digitally signed by :-
GAURAV PAL
High Court of Judicature at Allahabad,
Lucknow Bench