HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. BAIL APPLICATION No. - 3916 of 2026

Arif Ali

.....Applicant(s)

Versus

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

.....Opposite Party(s)

Counsel for Applicant(s)	:	Prerna Jalan, Shivanshu Goswami
Counsel for Opposite Party(s)	:	G.A.

Court No. - 12

HON'BLE ZAFEER AHMAD, J.

1.Heard learned counsel for the accused-applicant, learned A.G.A. for the State and perused the record.

2 This is first bail application filed on behalf of the applicant who is involved in Crime No.418 of 2025, under Section 3 (1) of the Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Act, 1986, Police Station Sandila, District Hardoi.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. It is submitted that only one case has been shown against the applicant in the gang chart and in the said case, he has already been enlarged on bail by the learned District and Sessions Judge, Hardoi. Apart from the case mentioned in the gang-chart, there is no other previous criminal history.It is further submitted that the co-accused persons, who stand on identical footing, have already been granted bail by a co-ordinate Bench of this Court. Copies of the bail orders passed in favour of the co-accused have been brought on record as Annexure No. 5 to the bail application. Learned counsel submits that the case of the present applicant is not distinguishable from that of the co-accused who have already been enlarged on bail and, therefore, the applicant is also entitled to be released on bail on the ground of parity.

4. Learned A.G.A. opposed the prayer for bail but could not dispute the aforesaid facts as argued by the learned counsel for the applicant.

5. Having heard learned counsel for the parties and perused the material available on record, and considering the fact that only one case has been shown against the applicant in the gang chart, in which he has already been granted bail, the parity claimed with the co-accused who have been enlarged on bail by a co-ordinate Bench of this Court, the period of incarceration undergone by the applicant since 08.01.2026, and without expressing any opinion on the merits of the case, this Court finds it to be a fit case for grant of bail.

6. Accordingly, the bail application is ***allowed.***

7. Let the applicant ***Arif Ali*** be released on bail in the aforementioned case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to following conditions:-

(i) The applicant will not tamper with the evidence during the trial.

(ii) The applicant will not pressurize/ intimidate the prosecution witness.

(iii) 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.

(iv) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates 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.

(v) 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 in accordance with law.

(vi) In case the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 84 B.N.S.S. is issued and the 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 209 of B.N.S.

(Zafeer Ahmad,J.)

June 4, 2026
Shahnaz

Digitally signed by :-
SHAHNAZ BANO
High Court of Judicature at Allahabad,
Lucknow Bench