2026:AHC-LKO:40511

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. BAIL APPLICATION No. - 3966 of 2026

Rakesh Kumar @ Chotu

.....Applicant(s)

Versus

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

.....Opposite Party(s)

Counsel for Applicant(s) : Mridul Tripathi, Adarsh Pratap Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 11

HON'BLE RAJEEV SINGH, J.

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

2. The present bail application has been filed on behalf of the applicant in F.I.R. No. 170/26 under Sections 2/3 U.P. Gangsters and Anti-Social Activities (Prevention) Act, 1986, Police Station- Bachhrawan, District- Raebareli, with the prayer to enlarge him on bail.

3. Submission of learned counsel for the applicant is that the applicant is an innocent person who has falsely been implicated in the present case and he is in jail since 15.03.2026. It is further submitted on behalf of applicant that the investigation is going on and the gang leader, namely, Pradeep @ Pintu Singh has already been enlarged on bail in Crl. Misc. Bail Application No. 3639 of 2026 vide order dated 27.05.2026. It is next submitted that the applicant undertakes that he will not involve in any activity, which is against the law. It is, thus, submitted that the applicant is entitled for bail. It is also submitted that in case of being enlarged on bail, he will not misuse the liberty of bail.

4. Learned A.G.A. opposes the prayer for grant of bail, but fairly concedes that Pradeep @ Pintu Singh has already been enlarged on bail in Crl. Misc. Bail Application No. 3639 of 2026 vide order dated 27.05.2026.

5. Considering the submissions of learned counsel for parties and going

through the record as also in view of the statement made by the learned counsel appearing on behalf of the applicant that the applicant will not involve in any activity, which is against the law, the twin conditions contained under Section 19 (4) of the U.P. Gangsters and Anti-Social Activities (Prevention) Act stand satisfied.

6. In view of above, this Court is of the view that the applicant is entitled to be released on bail.

7. Let applicant, namely, **Rakesh Kumar alias Chotu** be released on bail in F.I.R. No. 170/26, 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 an 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 office 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 I.P.C./269 B.N.S.

(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 B.N.S.S. 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 I.P.C./209 B.N.S.

(vi) The applicant shall remain present, in person, before the trial court on dates fixed for (a) opening of the case, (b) framing of charge; and (c) recording of statement under Section 313 Cr.P.C./351 B.N.S.S. 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. Any violation of above conditions will be treated misuse of bail and the court below will be at liberty to pass appropriate order in the matter regarding cancellation of bail.

9. With above directions, the bail application is ***allowed***.

(Rajeev Singh,J.)

June 8, 2026
Arpan

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