2026:AHC-LKO:41029

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C.
No. - 429 of 2026

Krishna Gopal Srivastava

.....Applicant(s)

Versus

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

.....Opposite Party(s)

Counsel for Applicant(s)	:	Amit Kumar Awasthi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 11

HON'BLE RAJEEV SINGH, J.

1. Heard learned counsel for the applicant and learned AGA for the State.

2. The present anticipatory bail application has been filed by the applicant with prayer to grant him anticipatory bail in Case Crime No. 437 of 2020, under Section 2/3 of U.P. Gangster and Anti-Social Activities (Prevention) Act, 1986, Police Station Biswa, District Sitapur.

3. Learned counsel for the applicant submits that involvement of the applicant is shown in one case, but only with the intention to show good work, he has been implicated in the present case in relation to Gangster Act. He further submits that there is no evidence that the applicant acquired property by committing crime. He also submits that the applicant is ready to cooperate in the proceedings, hence, he is entitled for anticipatory bail.

4. Learned AGA vehemently opposes the prayer of the applicant. However, he does not dispute the fact that involvement of the applicant is shown in one case.

5. Considering the submissions of learned counsel for the parties and going through the contents of the bail application as well as other relevant material, it is evident that on the basis of involvement of the applicant in one case shown in the gang chart, proceedings of Gangster Act has been initiated against him. Therefore, the Court is of the view that custodial

interrogation is not necessary. The applicant is entitled for anticipatory bail. In case the applicant is taken into custody, he shall be released forthwith on anticipatory bail by the arresting officer after taking personal bond of **Rs. 50,000/-** and two sureties each in the like amount with the 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 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 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.

6. With above directions, the anticipatory bail application is ***allowed***.

(Rajeev Singh,J.)

June 12, 2026
Arpan

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