HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 10756 of 2026

Azad Nishad Alias Beeru Nishad

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Km. Khushi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicant, the Learned A.G.A. for the State and perused the record.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.543 of 2026, under Sections 2(b)(i) and 3(1) of U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986, P.S. - Khalilabad, District- Sant Kabir Nagar, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case.

3. Learned counsel for the applicant has contended that the applicant has been falsely implicated in the present case under the Gangsters Act on the basis of two base cases mentioned in the gang chart. In both the cases, the applicant is on bail. Other than the base cases mentioned in the gang chart, the applicant has a criminal history of two other cases. The applicant is on bail in all the cases. He is not a previous convict.

4. Learned AGA has opposed the prayer for grant of anticipatory bail and has contended that the applicant is a repeat offender having a criminal history of four cases and he may not be considered for grant of anticipatory bail.

5. I have considered the submissions made by the Learned counsels for the parties.

6. The applicant has two base cases in the gang chart. In both the cases, the applicant is on bail. In the two other cases mentioned in the criminal

antecedents of the applicant, the applicant is on bail. He has no other criminal case to his credit.

7. Taking into account the entire facts and circumstances of the case, especially the fact that the applicant is on bail in all the cases including the base cases mentioned in the gang chart, I deem it appropriate to grant anticipatory bail to the applicant.

8. In view of the above, the anticipatory bail application of the applicant is **allowed**.

9. In the event of the arrest of the applicant **Azad Nishad Alias Beeru Nishad**, he shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and surety each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned with the following conditions:-

i. the applicant shall make himself available for interrogation by a police officer as and when required;

ii. that 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;

iii. that the applicant shall not leave India without the previous permission of the Court;

iv. that the applicant shall not pressurize/intimidate the prosecution witness;

10. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

11. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

October 23, 2026
Sachin

Digitally signed by :-
SACHIN TIWARI
High Court of Judicature at Allahabad