HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 10751 of 2026

Tejpal

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Anurag Singh, Raghuvansh Chandra, Ram Jee Saxena
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Learned counsel for the applicant; and Learned A.G.A. for the State.

2. The present anticipatory bail application has been filed on behalf of the applicant in Special Case No.127 of 2018 (State vs. Kallu and others) arising out of Case Crime No. 837 of 2017, under Section 2/3 of U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986 *(hereinafter referred to as "Gangsters Act")*, Police Station – T.P. Nagar, District Meerut, with a prayer to enlarge him on anticipatory bail, as the applicant apprehends his arrest in the aforesaid case.

3. Learned counsel for the applicant has contended that the applicant has been falsely nominated as an accused under the Gangsters Act on the basis of a solitary base case mentioned in the gang chart. Learned counsel states that he is on bail in the said case and he has no other criminal antecedents.

4. Learned A.G.A. has opposed the prayer for bail and has contended that non-bailable warrants are pending execution against the applicant since 2018 and being an absconder, he may not be considered for grant of anticipatory bail.

5. Rejoining the issue, Learned counsel for the applicant while referring to paragraph no. 24 of the affidavit, has contended that the base case, being Case Crime No. 431 of 2017, is pending in the same District Court, Meerut and is at the stage of evidence. The applicant has regularly been attending the trial in the said case. He never had knowledge of the pendency of the proceedings under the Gangsters Act against him and there was no plausible

reason for the applicant to not appear before the concerned Court once he was already attending dates in the base case.

6. The submissions of the Learned counsel for the applicant have some weight. The averments made in paragraph no. 24 of the affidavit have not been specifically denied in the instructions sent by the police. The applicant has no other criminal antecedents.

7. Taking note of the entire facts and circumstances of the case, especially the fact that the applicant has been implicated under the Gangsters Act on the basis of a solitary base case, a prima facie case for grant of anticipatory bail is made out.

8. The anticipatory bail application of the applicant is **allowed**.

9. The applicant - **Tajpal** shall appear before the trial Court within four weeks from today and shall be released on bail on filing his personal bond and surety in the like amount to the satisfaction of the Court concerned with the following conditions:-

i. The applicant shall remain present before the trial Court on each date fixed unless exempted by the trial Court;

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;

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

iv. 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.

October 23, 2026
Kushal

(Rajiv Lochan Shukla,J.)

Digitally signed by :-
KUSHAL AGRAWAL
High Court of Judicature at Allahabad