2026:AHC:227780

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38988 of 2026

Azad

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Ramanand Tiwari, Shiv Sharan Tripathi
Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed by learned counsel for the applicant is taken on record.

2. Heard Sri Gaurav Mishra, Advocate holding brief of Sri Shiv Sharan Tripathi, learned counsel for the applicant, Sri Anit Kumar Shukla, learned A.G.A. for the State and perused the material placed on record.

3. By means of the present bail application, the applicant seeks bail in Case Crime No.239 of 2026, under Section 2/3 of U.P. Gangster and Anti-Social Activities (Prevention) Act, 1986, Police Station- Gonda, District- Aligarh, during the pendency of trial.

4. It is argued by the learned counsel for the applicant that the prosecution under the Gangsters Act have been launched against the applicant on the basis of three criminal cases shown in the gang chart in which he has already been enlarged on bail by the court concerned. The details of criminal cases have been mentioned in the affidavit accompanying the bail application. He has been falsely implicated in the present case due to police rivalry. He is not the member of any gang. Learned counsel has further stated that there is a criminal history of seven cases against the applicant, which has been explained. The applicant is languishing in jail since 2.10.2026. In case, the applicant is released on bail, he will not misuse the liberty of bail.

5. On the other hand, learned AGA opposed the prayer for bail.

6. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is ***allowed***.

7. Let the applicant- **Azad**, be released on bail in the aforementioned case crime on furnishing a personal bond and two sureties to the satisfaction of the court concerned, subject to verification of sureties, with the conditions that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

8. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

November 2, 2026
Vikas Verma

Digitally signed by :-
VIKAS VERMA
High Court of Judicature at Allahabad