



2026:AHC:163470

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 9353 of 2026

Manish Mishra

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Atharva Dixit, Girja Shanker Mishra,
Pranav Tiwary, Sr. Advocate
Counsel for Opposite Party(s): G.A.

Court No. - 89

HON'BLE RAJ BEER SINGH, J.

1. Supplementary affidavit filed in Court today, is taken on record.
2. Heard Sri Manish Tiwary, learned Senior Advocate, assisted by Sri Atharva Dixit, learned counsel for the applicant and learned A.G.A. for the State.
3. The present second bail application has been filed on behalf of the applicant in case crime No. 109 of 2022, under Section 3(1) of U.P. Gangsters and Anti-Social Activities (Prevention) Act, police station Gopiganj, District Bhadohi with the prayer to enlarge the applicant on bail. The first bail application of applicant was dismissed for want of prosecution vide order dated 03.12.2025.
4. It has been argued by learned senior counsel for the applicant that applicant is innocent and he has been falsely implicated in this case due to political enmity. There is no credible evidence that applicant is a gangster or he was member of any gang. Referring to facts of the matter, it was submitted that there is no credible evidence against the applicant. It was stated that applicant has already undergone the custody of about four years and two months and that co-accused persons, namely Girdhari Prasad Pathak,

Hanuman Sewak Pandey, Suresh Kesharvani, Satish Mishra and Vikash Mishra @ Jyoti have already been granted bail by this Court. Criminal history of 25 cases shown against the applicant has duly been explained. Lastly, it was submitted that in case applicant is enlarged on bail, he will not misuse the liberty of bail.

5. Learned A.G.A. has opposed the prayer for bail and submitted that applicant has long criminal history of 25 cases and that during trial seven prosecution witnesses have already been examined. The trial of the case is at advance stage. It was further submitted that in case applicant is granted bail, he may tamper with the evidence in other cases. Referring to the facts of the matter, it was submitted that there are serious allegations against the applicant and no case for bail is made out.

6. It appears from record that applicant has already undergone the custody of about four years and two months and that the above-stated co-accused persons have already been granted bail by this Court. In view of these facts it would not be just and proper to reject the bail application merely on the basis of criminal history.

7. Considering the submissions of learned counsel for the parties and all attending facts and circumstances of the case, particularly the fact that applicant has already undergone the custody of about four years and two months, without expressing any opinion on the merits, a case for bail is made out. Hence, the present second bail application is hereby **allowed**.

8. Let the applicant **Manish Mishra** involved in the aforesaid crime be released on bail on furnishing a personal bond and two local sureties each of the like amount to the satisfaction of court concerned subject to the following conditions:

- i. The applicant shall not tamper with the evidence during trial.
 - ii. The applicant shall not pressurize/intimidate the prosecution witnesses.
 - iii. The applicant shall appear before the trial court on the date fixed, unless personal presence is exempted.
 - iv. The applicant shall not try to contact, threat or otherwise influence the informant or any of the witness of the case.
9. In case of breach of any of the above condition, the trial court shall be at liberty to cancel the bail of applicant in accordance with law.

August 5, 2026
Anand

(Raj Beer Singh,J.)