



2026:AHC-LKO:39996

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 3892 of 2026

Mukhtar Ali And 2 Others

.....Applicant(s)

Versus

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

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Seema Kashyap
Counsel for Opposite Party(s)	:	G.A.

Court No. - 12

HON'BLE ZAFEER AHMAD, J.

1. Heard learned counsel for the applicants, learned AGA for the State and perused the record.

2. This is first bail application filed on behalf of the applicants who are involved in Crime No. 170 of 2026, under Sections 2(b)(17)/3 of the U.P. Gangster and Anti-social Activities(Prevention) Act, police station Gola, district Kheri.

3. Learned counsel for the applicants submits that the applicants are innocent and have falsely been implicated in the present case. The allegations levelled against the applicants are false and frivolous. Learned counsel submits that there is one case against the applicant shown in the gang chart wherein he is already on bail. The bail order is annexed as Annexure 3 to the bail application. Learned counsel further submits that the co-accused namely Suraj Giri has already been granted bail by this Court in CrI. Misc. Bail Application No. 3770 of 2026 vide order dated 26.5.2026. Learned counsel submits that the role of applicants is similar to that of co-accused Ansar Ali and Asfak Ali who have been granted bail by this Court. It is further submitted that the applicants are entitled to the benefit of parity with the said co-accused. Learned counsel for the applicants submits that the applicants is in jail since 29.4..2026 and they have no criminal history except the cases shown in the gang chart. Learned counsel also submits that in case the applicants are enlarged on bail, they shall not misuse the liberty of bail.

4. It is also submitted that the applicant is ready to furnish an undertaking in terms of requirement of Section 19(4)(b) of U.P. Gangsters & Anti Social Activities (Prevention) Act, 1986. It is further submitted that there is no possibility of the applicant of fleeing away from judicial custody or tampering with the witnesses. In case the applicant is enlarged on bail, he shall not misuse the liberty of bail.

5. Learned A.G.A. has opposed the prayer for bail. However, he could not dispute the fact that the co-accused, having a similar role, have already been granted bail by this Court.

6. Having considered the submissions of learned counsel for the parties, the fact that the co-accused whose role is similar to that of the applicants have been granted bail, the applicants are languishing in jail since 29.4.2026 and without expressing any opinion on the merits of the case, I find it to be a fit case for enlarging the applicant on bail.

7. Accordingly, the bail application is **allowed**.

8. Let the applicants namely Mukhtar Ali, Zakir Ali and Babu involved in Crime No. 170 of 2026, under Sections 2(b)(17)/3 of the U.P. Gangster and Anti-social Activities(Prevention) Act, police station Gola, district Kheri be released on bail on their furnishing a personal bond and two sureties in the like amount to the satisfaction of the court concerned with the following conditions which are being imposed in the interest of justice:-

(i) The applicants will not tamper with the evidence during the trial.

(ii) The applicants will not pressurize/ intimidate the prosecution witness.

(iii) The applicants 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.

(iv) The applicants shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open

for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(v) The applicants shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him in accordance with law.

(vi) In case, the applicants misuse the liberty of bail during trial and in order to secure his presence proclamation under Section 84 B.N.S.S. is issued and the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of B.N.S.

9. It is clarified that the observations made in this order are confined to the present bail application and shall have no bearing on the merits of the trial.

(Zafeer Ahmad,J.)

June 2, 2026

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