



2026:AHC-LKO:41036

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 4428 of 2026

Surendra Kumar Singh Alias Chotu

.....Applicant(s)

Versus

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

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sanat Singh, Sudhir Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 11

HON'BLE RAJEEV SINGH, J.

1. Heard learned counsel for the applicant and learned AGA for the State.
2. The present bail application has been filed by the applicant with prayer to enlarge him on bail in Case Crime No. 480 of 2022, under Section 3(1) of U.P. Gangsters and Anti-Social Activities (Prevention) Act, 1986, Police Station Karnailganj, District Gonda.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He further submits that due to poor pairvi of the case, the applicant was convicted in the case mentioned in the gang chart. The applicant has been implicated in the present case related to Gangster Act and there is no evidence that the applicant acquired any property by committing crime, even then, the charge sheet was submitted. He also submits that the applicant is in jail since 6.05.2022, but till today only one witness has been examined. He lastly submits that there is no possibility of tampering of any evidence and the applicant is ready to cooperate in the trial, hence, he may be enlarged on bail.
4. Learned AGA vehemently opposes the prayer of the applicant. However, he does not dispute the fact that the applicant is in jail since 6.05.2022 in the present case.
5. Considering the submissions of learned counsel for the parties and

going through the contents of the bail application as well as other relevant material, it is evident that the applicant is in jail since 6.05.2022, but till today only one witness has been examined. Therefore, it is a fit case for bail.

6. In view of the statement made by the learned counsel appearing on behalf of the applicant that the applicant will not involve in any activity, which is against the law, the twin conditions contained under Section 19 (4) of the U.P. Gangsters and Anti-Social Activities (Prevention) Act stand satisfied.

7. In view of above, this Court is of the view that the applicant is entitled to be released on bail.

8. Let applicant, namely, **Surendra Kumar Singh Alias Chotu** be released on bail in F.I.R. No. 480 of 2022, on his furnishing personal bond and two reliable sureties each of the like amount to the satisfaction of the court concerned subject to following conditions:-

(i) The applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(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 office or tamper with the evidence.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date 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.

(iv) The applicant 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 under Section 229-A I.P.C./269 B.N.S.

(v) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C./84 B.N.S.S. may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the trial

court shall initiate proceedings against him, in accordance with law, under Section 174-A I.P.C./209 B.N.S.

(vi) The applicant shall remain present, in person, before the trial court on dates fixed for (a) opening of the case, (b) framing of charge; and (c) recording of statement under Section 313 Cr.P.C./351 B.N.S.S. If in the opinion of the trial court, absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

9. Any violation of above conditions will be treated misuse of bail and the court below will be at liberty to pass appropriate order in the matter regarding cancellation of bail.

10. With above directions, the bail application is ***allowed***.

June 12, 2026
Arpan

(Rajeev Singh,J.)