



2026:AHC:170836

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 7966 of 2026**

Rais Ahmad And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sharique Ahmed
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Sri Raes Ansari, Advocate holding the brief of Sri Sharique Ahmed, 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 applicants in Case Crime No. 326 of 2020 under Section 3(1) U.P. Gangsters and Anti Social Activities (Prevention) Act 1986 (hereinafter referred to as 'the Gangsters Act'), Police Station-Kotwali Nagar, District-Mau, with a prayer to enlarge them on anticipatory bail as the applicants apprehend their arrest in the aforesaid case.

3. The learned counsel for the applicants states that the applicants have been falsely implicated in the present case. He seeks anticipatory bail on the following grounds :-

i) The applicants have been falsely implicated in the present case on the basis of a single base case mentioned in the gang chart and the applicants are on anticipatory bail in the said case.

ii) The applicants were initially not named in the FIR under the Gangsters Act, however, their name has been introduced in the supplementary gang chart.

iii) Apart from the base case mentioned in the gang chart, the applicants have no criminal antecedents.

iv) Similarly situated co-accused Shairful Haque @ Haji Munmum @ Gungun has already been granted anticipatory bail by this Court vide order dated 06.08.2026 passed in NABAIL No. 7691 of 2026.

4. Learned A.G.A. has opposed the prayer for grant of anticipatory bail however, he could not dispute the factual assertions made by the learned counsel for the applicants.

5. I have considered the submissions made by the learned counsel for the parties.

6. The applicants are not named in the FIR. Their name has surfaced in the supplementary gang chart prepared in the solitary base case. The applicants are on anticipatory bail in the solitary base case shown in the gang chart.

7. Taking into consideration the entire facts and circumstances of the case, as discussed above, this Court is of the *prima facie* opinion that the applicants have made out a case for grant of anticipatory bail.

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

9. In the event of the arrest of the applicants - **Rais Ahmad and Naseem** involved in the aforesaid case crime, they shall be released on anticipatory bail on their furnishing a personal bond and surety in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned, with the following conditions:-

- i. The applicants shall make themselves available for interrogation by a police officer as and when required;
- ii. 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;
- iii. The applicants shall not leave India without the previous permission of the Court;

iv. The applicants 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.

(Rajiv Lochan Shukla,J.)

August 12, 2026

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