



2026:AHC-LKO:42075

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 4621 of 2026

Akash Gupta

.....Applicant(s)

Versus

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

.....Opposite
Party(s)

Counsel for Applicant(s) : Prabhu Sharan, Sanjay Kumar Singh,
Vaibhav Mishra

Counsel for Opposite Party(s) : G.A.

Court No. - 12

HON'BLE SHREE PRAKASH SINGH, J.

Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.

Instant bail application has been filed on behalf of the applicant with a prayer to release him on bail during the trial in Case Crime No. 0001 of 2026, under section 3(1) of the U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986, Police Station -Sursa, District -Hardoi.

It is contended by learned counsel for the applicant that the applicant is innocent and has falsely been implicated in the instant matter. He further submits that one case been shown in the gang chart against the applicant, in which he has been granted bail. Copy of the bail order has been annexed alongwith the bail application. Except apart the aforesaid one case there are two other cases criminal history of the applicant, which has been explained in paragraph no. 8 of the bail application. It has also been submitted that the applicant is not involved in any anti-social activities and he is neither a Member nor Leader of any gang. The applicant is languishing in jail since 27.04.2026. The applicant undertakes that in case, he is granted bail, he will not misuse the liberty of the same and would cooperate in the trial proceedings.

Per contra, learned A.G.A. has opposed the prayer for grant of bail, but he could not dispute the fact that the applicant has been enlarged on bail in the case shown in the gang chart.

Considering the submissions of learned counsels for the parties, nature of accusation and severity of punishment in case of conviction, nature of supporting evidence, prima facie satisfaction of the Court in support of the charge, reformatory theory of punishment and considering larger mandate of the Article 21 of the Constitution of India and, without expressing any view on the merits of the case, I find it to be a fit case of bail.

Let the applicant-**Akash Gupta**, involved in the aforementioned crime be released on bail, on his furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

- 1) The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, or otherwise during the investigation or trial;
- (2) The applicant 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. He 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 of the Indian Penal Code;
- (3) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 313 Cr.P.C.; and
- (4) 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. is issued and the applicant fails to appear before the court on the date fixed

in such proclamation, the trial court shall initiate proceedings against him, in accordance with law under Section 174-A of the Indian Penal Code.

The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the above conditions, the court below shall be at liberty to cancel the bail and send the applicant to prison.

It is clarified that the observations made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the merits of the case.

(Shree Prakash Singh,J.)

June 25, 2026

Arti/-