



2026:AHC:3293

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 41565 of 2025

Mobin

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Mahendra Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the applicant, Sri Rajesh Kumar Singh, learned AGA for the State-Respondent and perused the record.

The present bail application has been moved on behalf of accused-applicant seeking enlargement on bail in Case Crime No. 484 of 2012, under Sections 2/3 of the U.P. Gangster and Anti-Social Activities (Prevention) Act, 1986, Police Station Sahsawan, District Budaun.

Learned counsel for the applicant argued that the accused-applicant is innocent and he has been falsely implicated in this case crime number. The applicant is languishing in jail since 11.08.2025. In the aforesaid case the applicant was granted bail by the court vide order dated 06.12.2012. Thereafter on several dates he could not appear before the Trial Court. The Trial Court has issued Nonailable Warrant against the applicant. Thereafter, on 11.08.2025 the applicant surrendered before the Trial Court. The applicant has no criminal antecedents of three other cases to his credit which has been explained in the affidavit filed in support of the bail application. He submits that there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has been prayed for.

Learned AGA has vehemently opposed the prayer of bail, but could not dispute the aforesaid fact. He submits that the accused-applicant never appeared before the Trial Court even on a single date after release on bail, as such he may not be granted any indulgence by this Court.

Considering all those facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima-facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is allowed.

Let the accused-applicant, **Mobin**, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

January 7, 2026
pks

(Ashutosh Srivastava,J.)