



2026:AHC:64230

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 9364 of 2026

Sarvesh Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Anil Kumar Srivastava, Yogesh Kumar
Srivastava

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

Court No. - 69

HON'BLE JITENDRA KUMAR SINHA, J.

1. Supplementary affidavit filed by the applicant is taken on record.

2. Heard Shri Noor Mohammad, learned Advocate holding brief of Sri Yogesh Kumar Srivastava, learned counsel for the applicant, Sri Shivdutta Shukla, learned A.G.A. for the State-respondents and perused the record.

3. The present bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of applicant Lakhanshu @ Lekhanshu, with a prayer to release him on bail in Special Case No.2276 of 2024, (relating to Case Crime No.05 of 2024) under Section 2/3 of U.P. Gangsters and Antisocial Activities (Prevention) Act, registered at Police Station Salempur, District Bulandshahar, during pendency of the trial.

4 It has been contended by the learned counsel for the applicant that applicant is innocent and has been falsely implicated in this case. It is further submitted that the applicant is on bail in a solitary case that has been shown against him in the gang chart, apart from the above, he is also on bail in six other cases. On the other hand applicant is also having criminal history of six case, which has been duly explained in supplementary affidavit filed today. The applicant is languishing in jail since 05.01.2026 and he undertake that he will not misuse the liberty, if granted. It has also been pointed out that in the wake of heavy pendency

of cases in the Court, there is no likelihood of any early conclusion of trial.

5. Per contra learned A.G.A. has opposed the prayer for bail of the applicant.

6. The applicant is on bail in solitary case that has been shown against him in the gang chart, apart from the above, he is also on bail in six other cases. On the other hand applicant is also having criminal history of six case, which has been duly explained in supplementary affidavit filed today. The applicant is languishing in jail since 05.01.2026.

7. Upon considering the totality of facts, nature and the evidence reflected from record and also taking into consideration the provision of Section 19(4) of the Act and without expressing any opinion on merits of the case, I find it to be a fit case for bail. Hence, the present bail application is allowed.

8. Let the applicant- **Sarvesh Kumar** involved in the aforesaid case crime shall be released on bail on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned :-

(i) 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 officer or tamper with the evidence.

(ii) The applicant shall not pressurize/intimidate the prosecution witnesses.

(iii) 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 351 of B.N.S.S.

(iv) 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 the trial court.

(v) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel.

9. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

10. It is clarified that anything said in this order is limited to the purpose of determination of this bail application and will in no way be construed as an expression on the merits of the case. The trial court shall be absolutely free to arrive at its independent conclusions on the basis of evidence led unaffected by anything said in this order.

March 26, 2026

Ashish/-

(Jitendra Kumar Sinha,J.)