



2026:AHC-LKO:22538

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 480 of 2026**

Pawan Kumar @ Pawan Singh

.....Applicant(s)

Versus

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

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Manju Singh, Anju Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 28

HON'BLE RAJEEV BHARTI, J.

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

Supplementary affidavit filed on behalf of the applicant is taken on record.

Notice to respondent No. 2 is dispensed with in view of proposed order.

The instant application has been filed seeking release of the applicant on anticipatory bail in Case Crime/FIR No.324 of 2025 under Section 2/3 of the U.P.Gangsters Act, Police Station Laharpur, District Sitapur.

Learned counsel for the applicant submits that the investigation is going on. The applicant has criminal history of two cases which have been duly explained in paragraph 8 of the affidavit filed in support of the bail application, copy of the bail orders are being annexed as Annexure No.4 to the bail application. The applicant undertakes to cooperate in the investigation.

Learned A.G.A. has opposed the anticipatory bail application but could not controvert the aforesaid facts.

Upon due consideration of the facts that the investigation is going on and the criminal history of the applicant has been duly explained in paragraph 8 of the affidavit filed in support of the bail application and the undertaking given by him to cooperate in the investigation, and without making any observation which may affect the outcome of the case, I am of the view that the aforesaid facts are sufficient for making out a case for granting anticipatory bail to the applicant.

In view of the above, it is provided that in the event of arrest, the applicant shall be released on anticipatory bail in the aforesaid Case Crime number on his furnishing a personal bond with two sureties each in the like amount to the satisfaction of the arresting officer/investigating officer/S.H.O. concerned with the following conditions:-

- i). The applicant shall report to the investigating officer within twenty days from today. He shall cooperate in the investigation and he will not influence the witness. The accused-applicant will remain present as and when the arresting officer/I.O./S.H.O. concerned call(s) for investigation/interrogation. The applicant shall not leave India without previous permission of the Court.
- ii) The applicant shall refrain from directly or indirectly inducing, threatening, or promising any person familiar with the facts of the case in a manner that may dissuade him from revealing such facts before the Court or result in tampering with the evidence;
- iii) The applicant shall not travel outside India without prior permission from the Court;
- iv) The applicant shall not attempt to influence or intimidate any prosecution witness;
- v) 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. 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.

vi) The applicant shall also file an undertaking in terms of requirement of Section 19(4)(b) of U.P. Gangsters & Anti Social Activities (Prevention) Act, 1986 that he will not indulge in any case or misuse the liberty of bail.

(vii) 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 in accordance with law.

(viii) In case the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 84 BNSS is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of BNS.

(ix) In the event of any violation of the aforementioned conditions, the trial court shall be at liberty to cancel the anticipatory bail granted to the applicant;

Any other reasonable restrictions/conditions which the trial court may deem fit and proper can be imposed.

It is made clear that the observations made in granting anticipatory bail to the applicant shall not in any way affect the trial Judge in forming his independent opinion based on the testimony of the witnesses.

In view of the aforesaid, the anticipatory bail application is ***allowed.***

(Rajeev Bharti,J.)

March 30, 2026

Shukla