



2026:AHC-LKO:20601

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 1943 of 2026

Chootu Awasthi

.....Applicant(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Deptt. Of
Home Lko.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ashvani Kumar Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 23

HON'BLE RAJEEV BHARTI, J.

Heard learned counsel for the applicant, learned Additional Government Advocate for the State and perused the record.

The present bail application has been filed by accused-applicant seeking bail in Case Crime No.147 of 2024, under Section 3(1) of U.P. Gangsters & Anti Social Activities (Prevention) Act, 1986, Police Station- Sadarpur, District Sitapur.

Learned counsel for the applicant submits that in the gang chart, four criminal cases have been shown against the applicant, in which except the present case, he has been granted bail by the court below, copies of the bail orders are being annexed as Annexure No.5,6 and 7. Other than the four cases shown in the gang chart, the applicant has also been granted bail by the court below in two other criminal cases which has been duly explained in paragraph 3 of the affidavit filed in support of the bail application. The main accused Manoj Awasthi has already been granted bail by Co-ordinate Bench of this Court vide order dated 28.8.2024 passed in Crl. Misc. Bail Application No.9165 of 2024. The applicant is in jail since 12.5.2024.

It is also submitted that the applicant is ready to furnish an undertaking in terms of requirement of Section 19(4)(b) of U.P. Gangsters & Anti Social Activities (Prevention) Act, 1986. It is further submitted that there is no

possibility of the applicant of fleeing away from judicial custody or tampering with the witnesses. In case the applicant is enlarged on bail, he shall not misuse the liberty of bail.

Learned A.G.A. opposed the prayer for bail but could not dispute the aforesaid facts as argued by the learned counsel for the applicant.

On due consideration to the facts that the applicant is in jail since 12.5.2024; the applicant is on in all the cases shown in the bail application as well as in two other cases not shown in gang chart; the main accused has already been granted bail by Co-ordinate Bench of this Court vide order dated 28.8.2024 passed in Crl. Misc. Bail Application No.9165 of 2024; and without expressing any opinion on the merits of the case, I find it to be a fit case for enlarging the applicant on bail.

Accordingly, the bail application is **allowed**.

Let the applicant- **Chootu Awasthi** involved in the aforesaid case crime/F.I.R. number 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 which are being imposed in the interest of justice:-

- (i) The applicant will not tamper with the evidence during the trial.
- (ii) The applicant will not pressurize/ intimidate the prosecution witness.
- (iii) 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.
- (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 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.
- (v) 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.

(vi) 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.

(vii) 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 B.N.S.

(Rajeev Bharti,J.)

March 20, 2026

Shukla