



2026:AHC:15199

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 30335 of 2025

Raju @ Hemendra

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Arvind Kumar Sahu, Praveen Kumar
Srivastava

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

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the applicant, Ms. Anita Singh, learned AGA for the State-Respondent and perused the record.

The present bail application has been filed on behalf of applicant with a prayer to release him on bail in Case Crime No. 134 of 2015, under Section 2/3 of the Uttar Pradesh Gangsters and Anti Social Activities (Prevention) Act, 1986, registered at Police Station Faijganj, District Budaun, during pendency of the trial.

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 28.05.2025. In the aforesaid case the applicant was granted bail by the Court below on 13.07.2025 and after being released on bail the applicant could not appear before the Trial Court. The Trial Court has issued Nonailable Warrant against the applicant. thereafter, on 27.05.2025 the applicant was arrested by the Police. The applicant has criminal antecedent of 21 cases, which has been explained in the supplementary affidavit. 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. The applicant has criminal history of four cases and habitual absconder.

In none of the case the applicant appeared before the Trial Court 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 applicant, **Raju @ Hemendra**, be released on bail in the aforesaid case crime number on his furnishing a personal bond and two reliable sureties of the like amount to the satisfaction of the court concerned with the following conditions-

- (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.
- (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.

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

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.

January 21, 2026
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(Ashutosh Srivastava,J.)