



2026:AHC:127403

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S
482 BNSS No. - 5622 of 2026

Gaurav Gupta

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : J Shubham, Jitendra Kumar
Mishra
Counsel for Opposite Party(s) : G.A.

Court No. - 45

HON'BLE VIVEK KUMAR SINGH, J.

1. Heard Sri Jitendra Kumar Mishra, learned counsel for the applicant and learned A.G.A for the State and perused the record.

2. The present application has been filed on behalf of the applicant- Gaurav Gupta in Case Crime No. 899 of 2021 under Section 3(1) of U.P. Gangsters and Anti-Social Activities (Prevention) Act, 1986, Police Station - Kotwali Farrukhabad, District- Farrukhabad, with a prayer to grant him anticipatory bail.

3. Learned counsel for the applicant submits that the applicant is absolutely innocent and has been falsely implicated in the present case. He has nothing to do with the alleged offence in spite of that the police are trying to arrest the applicant. It is contended by learned counsel for the applicant that the applicant has been implicated under the provisions of Gangsters Act in the FIR dated 13.11.2021. The gang chart reveals solitary case. Initially the gang charts have been quashed by the orders of this Court passed in writ jurisdiction. Thereafter, second gang chart was prepared by the police authorities. Learned counsel for the applicant further submits that the applicant undertakes to cooperate during investigation and trial and shall appear as and when required by the Investigating Agency or the Court concerned. It has also been

stated that, in case the applicant is granted anticipatory bail, he shall not misuse the liberty of bail, shall cooperate with the investigation, and shall abide by all the conditions that may be imposed by the Court. It is also submitted that co accused namely, Devendra Mishra @ Dabbu has already been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 23.04.2026 passed in Criminal Misc. Anticipatory Bail Application U/S 482 BNSS No. 3877 of 2026. The case of the applicant is identical to the case of aforesaid co-accused. The investigation is going on in this matter and the police are trying to arrest the applicant.

4. On the other hand, learned A.G.A. has opposed the application for anticipatory bail, however, he does not dispute the factual aspect.

5. Considering the submissions made by learned counsel for the parties, this Court is of the view that the applicant has made out a case for grant of anticipatory bail on the ground of parity.

6. Accordingly, the anticipatory bail application is **allowed** with following directions:-

(i) In the event of arrest of the applicant- **Gaurav Gupta** involved in aforesaid case shall be released on anticipatory bail till the conclusion of trial, before the competent Court on his furnishing a personal bond of Rs.50,000/- with two sureties each of the like amount to the satisfaction of the Station House Officer of the police station concerned;

(ii) The applicant shall co-operate with the Investigating Officer during investigation and shall report to the Investigating Officer as and when required for the purpose of conducting investigation;

(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; and

(iv) The applicant shall not leave India without the previous permission of the Court.

7. In default or misuse of any of the conditions, the Public Prosecutor/ Investigating Officer/ first informant-complainant is at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant, before the concerned court.

June 15, 2026

Kirti

(Vivek Kumar Singh,J.)