



2026:AHC:125701

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 18314 of 2026

Ankush @ Kale

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Deepak Upadhyay
Counsel for Opposite Party(s)	:	G.A.

Court No. - 7

HON'BLE JAI PRAKASH TIWARI, J.

Heard learned counsel for the applicant, as well as learned A.G.A. and perused the record.

The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 848 of 2025, under Section 2/3 of U.P. Gangster and Anti Social Activities (Prevention) Act, 1986, Police Station Kavi Nagar, District Ghaziabad, during the pendency of the trial.

Learned counsel for applicant has submitted that as per the version of the FIR, it is alleged by the complainant/Station House Officer that applicant along others have made a group of anti social elements who with their associates are doing illegal activities for economical profits by way of loot, theft and assault. It is further submitted that Gangster Act was imposed upon the applicant on the basis of two criminal cases registered as Case Crime No. 559 of 2025, under Sections 309(4), 317(2) B.N.S., Police Station Kavi Nagar, District Ghaziabad and another Case Crime NO. 211 of 2025, under Sections 109(1), 317(2), 3(5) B.N.S. and Section 3/25/27 Arms Act, Police Station Madhuban Bapudham, District Ghaziabad. Learned counsel has drawn the attention of the Court to Annexure No. 2 to submit that in both the criminal cases, appellant was granted bail by the court concerned. That apart from present case, as well as two cases mentioned in the Gang Chart, a proceeding of 2/3 of U.P. Gunda Act was also instituted against the applicant, however, till date no final order has been passed. It is submitted that co-accused of the applicant have already granted anticipatory bail by the co-ordinate Bench of this Court vide order(s) 5.2.2026 and 6.2.2026 passed in Criminal Misc. Anticipatory Bail Application U/S 482 No.(S). 820 and 2026 (Nitin Kumar vs. State of U.P.) and No. 846 of 2026 (Suraj Yadav vs.

State of U.P. and 2 others), respectively, whereas another co-accused has been granted regular bail by this Court vide order dated 29.10.2025 passed in Criminal Misc. Bail Application No. 35900 of 2025 (Amit Kumar vs. State of U.P.) (Annexure No. 3 to the bail application). The applicant is in jail since 07.04.2026. Learned counsel for the applicant has further submitted that if the applicant is released on bail on parity, he would not misuse liberty of bail and is ready to co-operate in the trial.

Per contra, learned AGA opposed the prayer for bail but could not dispute the factual arguments advanced by learned counsel for the applicant as well as the fact that the other co-accused of the applicant have already been granted anticipatory bail/regular bail by this Court.

I have heard learned counsel for the parties and perused the record of the case.

It appears that on the basis of the criminal cases shown in the gang chart, applicant was made accused in the present case and in other cases, he has already been enlarged on bail, he is in jail since 07.04.2026, therefore, this Court is of the view that it is a fit case to release the applicant on bail.

In the light of discussions made above, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

Let the **applicant-Ankush @ Kale** be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

- (i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.
- (ii) The applicant shall not directly or indirectly, make 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 any police officer or tamper with the evidence.
- (iii) The applicant shall not indulge in any criminal and anti-social activity.

In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall

have no bearing on the merits of the case during trial.

June 4, 2026
Brijesh

(Jai Prakash Tiwari,J.)