



2026:AHC:127073

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 18685 of 2026

Mofid

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Nilesh Kumar Dubey, Shashi Shekhar
Maurya
Counsel for Opposite Party(s) : G.A.

Court No. - 5

HON'BLE SANJIV KUMAR, J.

1. Supplementary affidavit filed today is taken on record.
2. Heard learned counsel for the applicant as well as the learned A.G.A for the State and perused the material placed on record.
3. The instant bail application has been filed on behalf of the applicant with a prayer to release him on bail in Case Crime no. 26/2026, U/S-2(b)(xvii), 3(1) U.P. Gangsters & Anti-Social Activities(Prevention) Act, P. S. Ahraula, District - Azamgarh, pendency of trial.
4. It is argued by the learned counsel for the applicant that, according to the gang chart, the applicant is shown to be involved in six criminal cases, in the said cases, he has already been enlarged on bail by the courts concerned. Apart from six cases, the applicant has no criminal history. It is further submitted that the applicant has been falsely implicated in the present case due to police rivalry. The applicant is not a member of any gang. He further submitted that similarly situated co-accused person, namely, Mohammad Irshad, has already been granted bail by a Coordinate Bench of this Court vide order dated 13.04.2026 passed in Criminal Misc. Bail Application Nos.10635 of 2026. He is languishing in jail since 03.04.2026. It is also submitted that, in the event of his being enlarged on bail, he will not misuse the liberty of bail and will cooperate with the trial proceedings.

5. Per contra, learned A.G.A. has opposed the prayer for bail of the applicant.

6. Upon considering the totality of facts, nature and the evidence reflected from record and also taking into consideration the provision of Section 19(4) of the Act and without expressing any opinion on merits of the case, I find it to be a fit case for bail. Hence, the present bail application is **allowed**.

7. Let the applicant- **Mofid** involved in the aforesaid case crime 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 :-

(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 under Section 351 of B.N.S.S.

(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.

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

9. 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.

(Sanjiv Kumar,J.)

June 12, 2026
A.N. Mishra