



2026:AHC:129730

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 8116 of 2026

Bittu @ Vittu @ Vishal Raj Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Firoz Ahmad Khan, Javed Alam
Counsel for Opposite Party(s)	: G.A., Kiran Tiwari, Mahesh Chandra Tiwari

Court No. - 69

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. The case called out in revised call, none appears for the informant of Case Crime No. 37 of 2025.
2. Heard Sri Javed Alam, learned counsel for the applicant and learned A.G.A. for the State.
3. When the matter was taken up in the pre-lunch session, the learned counsel for the informant of Case Crime No. 37 of 2025 was heard. Certain clarifications having been sought, the matter was directed to be taken up again in the post-lunch session. However, when the matter was called on in the post-lunch session, the learned counsel for the informant did not appear. Accordingly, this Court has proceeded to hear the learned counsel for the applicant and the learned A.G.A. on the question of grant of bail to the applicant.
4. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No.1523 of 2015, under Section 2/3 U.P. Gangsters and Anti Social Activities (Prevention) Act 1986, Police Station Sikandra, District Agra.
5. Learned counsel for the applicant contends that the applicant had been granted bail by the concerned trial court in the present case by the learned Special Judge (Gangster Act)/Additional Session Judge, Court No. 20, Agra on 08.07.2016. The applicant had been appearing before the learned trial court regularly. However, in the year 2019 the applicant was arrested by the police in a false case being Case Crime No. 29 of 2019 and two other cases

being Case Crime No. 120 of 2019 and Case Crime No. 121 of 2019. The applicant after spending about 3 years in jail was finally released on bail in the year 2021. Learned counsel for the applicant has further contended that due to some misinformation the applicant fearing for his life could not appear before the trial court which led to his bail being cancelled and it is thereafter the police has arrested the applicant in the present case and he is in jail since 21.01.2026. Learned counsel for the applicants contends that in the meantime, the applicant was falsely implicated in a case being Case Crime No. 737 of 2025 in which the learned Session Judge, Agra has granted bail to the applicant on 10.12.2025.

6. Learned A.G.A., on the other hand, has opposed the prayer for grant of bail and has contended that the applicant has absconded for a period of almost 8 years and grant of bail to the applicant considering his criminal antecedents which are 5 in number apart from one case mentioned in the gang chart raise a serious apprehension that the applicant if enlarged on bail again would abscond or would tamper with the evidence. The learned A.G.A. however, has not disputed the explanation given by the learned counsel for the applicant with respect to the criminal antecedents.

7. I have considered the submissions made by the learned counsels for the parties and perused the material brought on record. The applicant is in jail since 21.01.2026. The gang chart shows a solitary base case in which the applicant is on bail. The other criminal cases shown against the applicant have been duly explained and the applicant is not a previous convict. The trial against the applicant is not likely to be concluded in near future.

8. Taking into account all the facts and circumstances of the case, *prima facie*, a case for bail is made out. However, taking into account the fact that the applicant is stated to be a resident of Rajasthan it would be appropriate that one of the sureties furnished by the applicant is a local surety.

9. The bail application is ***allowed***.

10. Let the accused-applicant- **Bittu Urf Vittu Urf Vishal Raj Singh**, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

i. The applicant will not tamper with the evidence.

ii. The applicant will not indulge in any criminal activity.

iii. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.

iv. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted by the court concerned.

11. In the event of breach of any of the aforesaid conditions, the trial Court will be at liberty to proceed to cancel his bail.

12. It is made clear that the applicant shall be released on the basis of computer generated copy of this order, downloaded from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within 15 days.

13. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

14. The observations made hereinabove are exclusively for deciding the instant bail application and are not to be considered to be an opinion on the merits of the case.

June 29, 2026
Vikram

(Rajiv Lochan Shukla,J.)