



ITEM NO.48

COURT NO.3

SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Cr1.)
No(s).1091/2025

[Arising out of impugned final judgment and order dated 18-12-2024 in CR MBA No.41303/2024 passed by the High Court of Judicature at Allahabad]

ABBAS ANSARI**Petitioner(s)****VERSUS****STATE OF UTTAR PRADESH****Respondent(s)**

IA No. 19842/2025 - EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT

IA No. 21127/2025 - EXEMPTION FROM FILING O.T.

IA No. 19843/2025 - EXEMPTION FROM FILING O.T.

IA No. 21126/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Date : 07-03-2025 This matter was called on for hearing today.

CORAM :**HON'BLE MR. JUSTICE SURYA KANT****HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH**

For Petitioner(s) **Mr. Kapil Sibal, Sr. Adv.**
Mr. Nizam Pasha, Adv.
Mr. Lzafeer Ahmad B. F., AOR
Mr. Sidharth Kaushik, Adv.
Ms. Awstika Das, Adv.
Mr. Madhav Deepak, Adv.
Ms. Aparajita Jamwal, Adv.
Mr. Arif Ali, Adv.

For Respondent(s) **Mr. K.M. Nataraj, A.S.G.**
Mr. Sharan Dev Singh Thakur, Sr.AAG
Ms. Ruchira Goel, AOR
Ms. Indira Bhakar, Adv.

Mr. Sharanya Sinha, Adv.
Ms. Ritika Rao, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. The petitioner is an accused in FIR bearing Case Crime No. 556 of 2024, dated 31.08.2024, registered at Police Station Kotwali Karvi, District Chitrakoot, under the provisions of the U.P. Gangsters and Anti-Social Activities (Prevention) Act, 1986.
2. The petitioner is a member of the State Legislative Assembly of Uttar Pradesh, being elected from the Mau Assembly Constituency, and it seems that he is also active in public life. There is no gainsaying that the petitioner is facing multiple criminal cases. However, it is also admitted that he is on bail in all those cases. In the present case, the petitioner has been in custody since 06.09.2024. Earlier he was arrested on 04.11.2022 in connection with a different FIR wherein though he was granted bail, he could not be enlarged as he was booked in the instant case.
3. We have heard learned Senior Counsel for the petitioner as well as learned Additional Solicitor General of India for the State of U.P., and minutely perused the voluminous record.
4. There are pertinent issues raised by both the sides. The apprehension of the Prosecution primarily appears to be that the petitioner will misuse the concession of bail due to his position and is likely to threaten the witnesses who are yet to be examined. In this regard, we must note that the witnesses, who have

yet to depose, are police officials, and are, therefore, unlikely to be influenced.

5. Moreover, the other issue of absconding of the petitioner's co-accused, would obviously inordinately delay the trial unless the Trial Court passes an order of segregation of the trial.

6. Taking into consideration the submissions advanced by both the sides, and in order to evaluate the conduct of the petitioner while he is on bail, we propose to release him on interim bail, subject to the following stringent conditions:

(i) The petitioner, who is an MLA and has got official accommodation at Lucknow - the capital of the State of U.P., is directed to stay in the official accommodation allotted to him while on interim bail.

(ii) As and when the petitioner is required to visit his constituency, he may do so by sending an earlier intimation to the police administration, as well as to the Sessions Court at Lucknow.

(iii) The petitioner shall not leave the State of U.P. without prior permission of the Trial Court.

(iv) The petitioner shall not make any public statements in respect of the cases which are currently sub-judice before different Courts.

(v) However, it is clarified that in all those cases, his right to defend himself shall remain unaffected.

(vi) Lastly, the petitioner shall furnish bail bonds to the satisfaction of the Sessions Court, Chitrakoot.

7. The petitioner shall also be required to appear before the Trial Court in the instant case or any other case wherever his appearance is required, for which he shall be required to intimate the authorities a day prior to such appearance.

8. Post the matter for hearing on 16.05.2025.

9. The Police Authorities shall be at liberty to submit a Status Report re: the petitioner's conduct in a confidential envelope on or before the next date of hearing.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR