



2026:AHC:180697

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 8193 of 2026

Pushpendra And 2 Others

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Jai Prakash Prasad, Rakesh Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicants, the Learned A.G.A. for the State and perused the record.
2. The present anticipatory bail application has been filed on behalf of the applicants in Case Crime No.84 of 2026, under Sections 109(1), 190, 191(2), 191(3), 115(2), 352 of the B.N.S. 2023, P.S.- Ratanpuri, District-Muzaffarnagar, with a prayer to enlarge them on anticipatory bail as the applicants apprehend their arrest in the above-mentioned case.
3. Learned counsel for the applicants has contended that the First Information Report has been lodged after a delay of one day. Seven persons have been named in the F.I.R., who have been given a general role of using lathi, danda and rebar (Saria). The injured Vansh Kumar has received four injuries, out of which only three are visible injuries. The first is a lacerated wound on the head and there are two other injuries which are stated to be traumatic swelling on the left side of the face and traumatic swelling in the right elbow. Later, in the X-ray report, a fracture was found in the ulna bone of the injured. None of the injuries, however, were dangerous to life. Learned counsel for the applicants has further contended that the present case is a counter case to Case Crime No. 83 of 2026 which was lodged at 18:50 hours against the injured and six others under Sections 109(1), 137(2), 65(1), 351(3), 352, 333, 3(5) of the B.N.S., under Sections 3 & 4(2) of the POCSO Act and under Sections 3(2)(v) and 3(1)(w)(ii) of the S.C./S.T., Act. The applicants have been implicated

solely due to the fact that they are related to co-accused Arun Kumar, whose wife Smt. Rakesh had lodged the earlier case.

4. The Learned A.G.A. has opposed the prayer for grant of anticipatory bail. He has pointed out the criminal history of the applicants, however, could not dispute the factual submissions made by the Learned counsel for the applicant.

5. I have considered the submissions made by the Learned counsels for the parties.

6. Except the applicant No. 1 who is stated to have a criminal history of one case, none of the other applicants have any previous criminal case to their credit. No specific role has been assigned to the applicants. The injuries received by the injured Vansh Kumar have not been opined to be dangerous to life. Seven accused persons assaulting one person and only three visible injuries being found on the body, the fourth being a complaint of pain, *prima facie*, indicates that there may be false implication or over implication on the part of the informant. The F.I.R. appears to be a counter case to Case Crime No. 83 of 2026 which had been lodged for sexual assault made on the minor daughter of co-accused Arun Kumar.

7. Taking into account all the facts and circumstances of the case and without expressing any opinion on the merits of the case, I deem it fit to enlarge the applicants on anticipatory bail.

8. In view of the above, the anticipatory bail application of the applicants is **allowed**.

9. In the event of the arrest of the applicants **Pushpendra, Nikit & Gaurav**, they shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and surety each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned with the following conditions:-

- i. the applicants shall make themselves available for interrogation by a police officer as and when required;
- ii. that the applicants 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 them from disclosing such facts to the Court or

to any police officer;

iii. that the applicants shall not leave India without the previous permission of the Court;

iv. that the applicants shall not pressurize/intimidate the prosecution witness;

10. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

11. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

August 31, 2026
Sachin