



2026:AHC:179377

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 8136 of 2026

Vipin Kumar @ Vipin Sharma

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Jai Shankar Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicant, 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 applicant in Case Crime No.0534 of 2021, under Sections 147, 148, 149, 352, 504, 323, 307 I.P.C., P.S.- Khair, District- Aligarh, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case.

3. Learned counsel for the applicant has contended that the applicant has been nominated in the present case along with eleven other named accused persons. The allegation is of assaulting Mukesh Sharma, Sanjay Sharma and Rahul Sharma. Learned counsel for the applicant has further contended that injured Sanjay Sharma has received two injuries. The injured Mukesh Sharma has received one injury and the injured Rahul Sharma has received three injuries. None of the injuries have been opined to be dangerous to life. Learned counsel for the applicant has further argued that the applicant has no criminal antecedents and he had been granted interim protection from arrest in **Criminal Misc. Writ Petition No. 11491 of 2021**. The applicant had challenged the proceedings in **APPLICATION U/S 482 No. 21817 of 2024**, which had been dismissed by this Court with certain directions. Learned counsel for the applicant contends that as the interim order had been operating in favour of the applicant in the writ petition which came to be finally dismissed by a Division Bench of this Court on 25.03.2026, it is thereafter that the applicant has approached the Court for seeking anticipatory bail.

4. Learned A.G.A. has opposed the prayer for bail, however, could not dispute the factual submissions made by Learned counsel for the applicant.

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

6. From the perusal of the material on record, it appears that the number of accused nominated in the First Information Report far exceeds the number of injuries found on the person of the three injured. None of the injuries have been opined to be dangerous to life. In the opinion of the Court, taking note of the fact that the accused belong to one family and are closely related to each other, over implication or false implication of the applicant cannot be ruled out. The applicant was not arrested during investigation and once a charge-sheet has been filed, he is no longer required for any custodial interrogation.

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 applicant on anticipatory bail.

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

9. The applicant - **Vipin Kumar @ Vipin Sharma** shall appear before the trial Court within four weeks from today and shall be released on bail on filing his personal bond and surety in the like amount to the satisfaction of the Court concerned with the following conditions:-

- i. The applicant shall remain present before the trial Court on each date fixed unless exempted by the trial Court;
- ii. 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;
- iii. The applicant shall not leave India without the previous permission of the Court;
- iv. The applicant 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.

August 25, 2026
Sachin

(Rajiv Lochan Shukla,J.)