



2026:AHC:179940

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 8219 of 2026

Omprakash Yadav

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Yadvesh Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. This Court on 12.08.2026 passed the following order:-

"1. Case called on.

2. Learned A.G.A. states that he has not received instructions.

3. As prayed, two weeks' time is granted to the learned A.G.A. to seek instructions.

4. Learned counsel for the applicant contends that the matter is urgent and he is apprehending his arrest. He may be considered for grant of interim anticipatory bail. Learned counsel for the applicant also claims parity from the co-accused Hariram Urf Hari Ram Gupta, who has been granted anticipatory bail by this Court vide order dated 22.05.2026 passed in NABAIL No. 4666 of 2026.

5. Put up as fresh on 25.08.2026 at 2:00 pm.

6. Till 25.08.2026 in the event of the arrest of the applicant- Omprakash Yadav involved in Case Crime No. 0013 of 2020, under Sections 409, 420, 467, 468, 471, 477-A, 120-B, 34 IPC, Police Station-Varanasi Sector (E.O.W.), District- Varanasi, he shall be released on interim anticipatory bail on his furnishing a personal bond and surety in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned, with the following conditions:-

i. The applicant shall make himself available for interrogation by a police officer as and when required;

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;

7. In default of any of the conditions, the prosecution shall be at liberty to file appropriate application for cancellation of interim anticipatory bail granted to the applicant."

2. Today, when the case has been called on, Learned AGA has stated that he has received instructions.

3. Learned counsel for the applicant contends that the matter relates to the financial year 2004-05. The applicant is a fair price shop agent. The co-accused Hariram @ Hari Ram Gupta, who was also a fair price shop agent, has been granted anticipatory bail by this Court in NABAIL No.4666 of 2026. The FIR has been lodged after a long delay of almost fifteen years. The investigation is pending since 2020 and there is no allegation against the applicant of absconding or not cooperating with the investigation.

4. Learned AGA has opposed the prayer for bail however could not dispute the fact that the case of the applicant stands on a similar footing to that of the co-accused Hariram @ Hari Ram Gupta.

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

6. The offence in question relates to the financial year 2004-05. The FIR came to be lodged in the year 2020. There is no plausible explanation given in the FIR regarding the excessive delay in the lodging of the first information report. Similarly situated co-accused Hariram @ Hari Ram Gupta has been granted anticipatory bail by this Court. The applicant is on interim anticipatory bail and is not stated to have misused the liberty granted to him by this Court. The applicant is not stated to have any criminal antecedents.

7. Considering the facts and circumstances of the case, I deem it appropriate to confirm the interim anticipatory bail granted to the applicant.

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

9. In the event of the arrest of the applicant-**Omprakash Yadav**, he shall be released forthwith in the Case Crime No. 0013 of 2020, under Sections 409, 420, 467, 468, 471, 477-A, 120-B, 34 IPC, Police Station-Varanasi Sector (E.O.W.), District- Varanasi on anticipatory bail on the same terms and conditions as fixed in the earlier order dated 12.08.2026.

10. 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 25, 2026
A. Pandey