



2026:AHC:165885

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 7698 of 2026**

Lalu Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Mukesh Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Learned counsel for the applicant; and learned A.G.A. for the State are present.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 06 of 2026 under Sections 319(2), 318(4), 338, 336(3), 340(2), 191(2), 352, 351(3), 115(2) of B.N.S., 2023, Police Station-Kaimganj, District-Farrukhabad, with a prayer to enlarge him on anticipatory bail, till the conclusion of the trial, as the applicant apprehends his arrest in the aforesaid case.

3. The learned counsel for the applicant states that the applicant has been falsely implicated in the present case. He seeks anticipatory bail on the following grounds :-

i. The applicant has not been named in the first information report. He is an old man aged about 61 years.

ii. The applicant was taken advantage of after consuming liquor his photograph and thumb impressions were taken on papers which are stated to be the forged sale deed executed by the co-accused.

iii. The applicant on coming to know of the execution of the forged sale deed by fixing the applicant's photographs, he filed a Civil Suit, being Original Suit No. 453 of 2026 for cancellation of the sale deed.

iv. The applicant has no criminal antecedents.

4. Learned A.G.A. has opposed the prayer for grant of anticipatory bail and has contended that the name of the applicant has been unearthed during

investigation. It is his photograph that has been affixed on the forged sale deed. He, however does not dispute the fact that the applicant is an old man aged about 61 years nor does he dispute the fact that the applicant has no criminal antecedents to his credit. Learned A.G.A. has further contended that the proceedings under Section 84 B.N.S.S. have already been initiated against the applicant.

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

6. The applicant is an old man aged about 61 years. He himself has instituted an original suit for cancellation of the disputed sale deed. He claims to have been duped into executing some document which was later found to be the disputed sale deed. The case of the applicant stands on a separate footing than that of the co-accused who are stated to be the beneficiaries of the sale deed in question. The applicant has no criminal antecedents and undertakes to cooperate with the investigation.

7. The issuance of the non-bailable warrants does not per se dis-entitle an accused for obtaining the anticipatory bail. The Supreme Court in ***Asha Dubey versus State of Madhya Pradesh 2024 SCC OnLine 5633***, in paragraph 8, has noted and opined as thus:

"Coming to the consideration of anticipatory bail, in the event of the declaration under Section 82 of the Cr.P.C., it is not as if in all cases that there will be a total embargo on considering the application for the grant of anticipatory bail."

8. Taking into consideration the entire facts and circumstances of the case, as discussed above, this Court is of the prima facie opinion that the applicant has made out a case for grant of anticipatory bail.

9. The anticipatory bail application of the applicant is **allowed**.

10. In the event of the arrest of the applicant - Lalu Singh, involved in the aforesaid case crime, he shall be released on anticipatory bail on his furnishing a personal bond and two sureties 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 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;

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

12. 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 6, 2026
Shweta

(Rajiv Lochan Shukla,J.)