



2026:AHC:166894

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 7790 of 2026**

Jagannath Prasad

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Lovelesh Kumar Dwivedi, Raj Narayan
Dwivedi, Shameemuddin
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.657 of 2025, under Sections 319(2), 318(4), 338, 336(3), 340(2), 316(5), 61(2), 238 B.N.S. & Section 66 D of the Information Technology Act, P.S. - Karvi, District- Chitrakoot, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case.
3. The Learned counsel for the applicant has contended that applicant is an old man aged about 87 years. The allegation is that the applicant received excess payment in his account in connivance with the treasury officials and misappropriated Rs.51,85,542/-. The Learned counsel for the applicant has contended that applicant is an excessively old man not having full command over his faculties and his condition has been taken advantage of by the officials of the treasury department and the other accused. No money has been misappropriated by the applicant. He contends that similarly situated co-accused Pheran Prasad Yadav has been granted anticipatory bail by this Court in **CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 7735 of 2026**.
4. The Learned A.G.A., on the other hand, has opposed the prayer for grant of anticipatory bail and has contended that one of the co-accused Maya, who had not deposited the amount that was due on her, was

refused anticipatory bail by a coordinate Bench of this Court in **CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 1717 of 2026**. The Learned A.G.A., however, could not dispute the fact that applicant has no criminal antecedents.

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

6. The co-accused Pheran Prasad Yadav has been considered for grant of anticipatory bail. Similarly situated co-accused Sarla Devi has also been enlarged on anticipatory bail by this Court in **CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 6986 of 2026**. The anticipatory bail application of the co-accused, Maya, who had promised to deposit the misappropriated amount, as recorded in the order of the Court, has been rejected, as the said amount was thereafter not deposited. In the opinion of the Court, the applicant who is 87 years of age and stated not to have full command over his faculties due to his old age, his case is on a separate footing to that of the co-accused viz. Maya.

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. In the event of the arrest of the applicant **Jagannath Prasad**, he 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 applicant shall make himself available for interrogation by a police officer as and when required;
- ii. that 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. that the applicant shall not leave India without the previous permission of the Court;

iv. that 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.

(Rajiv Lochan Shukla,J.)

August 10, 2026
Sachin