



2026:AHC:168667

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 7826 of 2026**

Digvijay

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Anand Kumar, Nandini, Renu Choukl
Counsel for Opposite Party(s) : G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Learned counsel for the applicant and Learned A.G.A. for the State as well as perused the record.
2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 106 of 2026, under Sections 191(2), 191(3), 190, 109, 333,352,351(3), 118(1) B.N.S. P.S. Bahadurgarh, District Hapur, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the abovementioned case.
3. Learned counsel for the applicant submits that the applicant is an old man aged about 66 years. The allegation against the applicant, his sons and three unknown persons is of assaulting the injured due to some dispute which had taken place about five days prior to the occurrence. Learned Counsel for the applicant has contended that the applicant has not been given any specific role of assault. The injured, although is said to have received eight injuries, however, none of the injuries can be considered to be grievous in nature or dangerous to life. The applicant has no criminal antecedents.
4. Learned AGA has opposed the prayer for bail and has contended that the applicant has been named in the FIR. The applicant, his sons and some unknown persons have brutally assaulted the injured. Learned AGA, however, has pointed out that the injured Manoj has received fracture in his leg which is a grievous injury. He has further pointed out

that, at the time of admission, the injured was found to be in poor general condition due to excessive bleeding and could be made conscious and oriented only after administration of I.V. fluids..

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

6. No specific role has been given to the applicant. The applicant has no criminal antecedents. The applicant is an old man. The applicant is also the father of the co-accused Pradeep and Jaiveer. In the prima facie opinion of the Court taking into account the old age of the applicant, the manner of assault as suggested in the FIR and the number and nature of injuries, over implication cannot be ruled out.

7. Taking into account the facts and circumstances of the case, I deem it appropriate to enlarge 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-**Digvijay**, he shall be released forthwith in the aforesaid case crime on anticipatory bail on 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. 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 11, 2026
A. Pandey