



2026:AHC:174009

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 7835 of 2026

Himmat Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sanjeev Kumar Khare
Counsel for Opposite Party(s)	:	G.A., Shalvin

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard learned counsel for the applicant; learned A.G.A. for the State and Sri Shalvin, learned counsel for the informant.
2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.212 of 2025, under Sections 115(2), 117(2), 352, 351(2), 191(2), 191(3), 109(1) and 3(5) of the B.N.S., 2023, Police Station – Srinagar, District Mahoba, with a prayer to enlarge him on anticipatory bail, as the applicant apprehends his arrest in the aforesaid case.
3. The learned counsel for the applicant contends that the applicant has been falsely implicated in the present case. In the present incident, the applicant's side was assaulted and one son of the applicant lost his life in the incident. A First Information Report (FIR) was lodged on 21.06.2025 itself i.e. the date of the occurrence, and the impugned FIR has been lodged on 6.11.2025 on the basis of an application under Section 173(4) of the BNSS. The learned counsel has further contended that the applicant is an old man aged about 56 years. The present case is only an attempt to coerce the applicant and the other witnesses into effecting a compromise and not supporting the prosecution case. The applicant has no criminal antecedents.
4. The learned counsel for the informant and the learned A.G.A. have opposed the prayer for grant of anticipatory bail and the learned counsel for the informant has contended that the injured Narendra Singh has received serious head injury in the form of a fracture of the parietal bone.

The injury sustained by Narendra Singh was dangerous to life. There is no explanation in the cross FIR regarding injuries received by the informant and others in the incident. The learned counsel has further contended that the medical examination was not delayed. The injured had gone to the police station immediately after the incident however, they were arrested by the police and then produced on the next day for medical examination. The injuries have been found to be within one day of the incident which corresponds to the time of incident.

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

6. There are cross versions of the incident. The FIR lodged from the side of the applicant is prior in point of time. One son of the applicant has lost his life. The other sons of the applicant are said to have been granted regular bail by this Court. Although there are cross cases and in the prima facie opinion of the Court, cross cases indicate that the incident is admitted between the parties, however, taking into account the delay in lodging of the FIR, as also the fact that the applicant and his other family members have been implicated in the present case, including his deceased son, over implication or false implication cannot be ruled out.

7. Taking into consideration the entire facts and circumstances of the case, as discussed above, and also the fact that the applicant has no criminal antecedents, a prima facie case for grant of anticipatory bail is made out.

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

9. In the event of the arrest of the applicant- **Himmat Singh**, involved in the aforesaid case crime, he shall be released on 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;

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 18, 2026
Kushal