



2026:AHC:174557

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 7901 of 2026**

Yogesh Upadhyay @ Mannu Pandit

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Rajesh Kumar Roy Sharma
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.230 of 2026, under Sections 191(2), 191(3), 125, 109(1), 115(2) B.N.S. and Section 7 of Criminal Law Amendment Act, P.S. - Bannadevi, District- Aligarh, 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 contends that the applicant has been falsely implicated. The allegation is that 2 groups were indulging in violence and had fired upon each other which led to 3 persons receiving gunshot injuries. The Learned counsel for the applicant contends that FIR has been lodged against 12 named accused and 10 to 12 unknown persons. The information regarding the identity of the accused has supposedly been disclosed to the police on information received from passers-by and persons present on the spot, whose names have not been disclosed in the FIR. The Learned counsel for the applicant contends that the applicant and the other accused have been falsely implicated. The applicant has no criminal antecedents and no role has been given to the applicant.
4. The Learned A.G.A. has opposed the prayer for grant of anticipatory bail, however, could not dispute the fact that the applicant has no criminal

antecedents.

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

6. Similarly situated co-accused Yogendra Kumar @ Yogi, Naman Ratnakar, Shanu, Mayank Thakur, Harshit Varshney Hindu, Shashank Shankar Sharma, Shoeb, Mohammad Hamza, Honey Shivaji, Ayush Sharma, Mohit Sharma, Prafull Pandit, Arun Kumar Gautam @ Arun Mahadev, Yash Goyal, Gaurav @ Katu and Yash Gupta have been granted regular bail by this Court in different bail applications. The applicant has not been assigned any specific role.

7. The Learned A.G.A., during the course of the arguments, has pointed out that there is some CCTV footage and also a video which has been shot by the bystanders which indicate that it was the applicant also along with the named accused, who had indulged in violence. The Learned A.G.A., however, has not been able to point out whether the said video which has been relied upon in the case diaries, was obtained by the Investigating Officer and made a part of the investigation. The proceedings of investigation indicate that some video was shown to the Investigating Officer, however, the same was not made a part of the record by the Investigating Officer. The charge sheet against the co-accused also appears to have been submitted.

8. This Court has had the occasion to peruse the charge sheet that has been sent along with the instructions in the case diaries. From the perusal of the charge sheet, it appears that only police witnesses have been shown and no independent witness has been made a witness in the charge sheet.

9. 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.

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

11. In the event of the arrest of the applicant **Yogesh Upadhyay @ Mannu Pandit**, 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;

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

13. 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 19, 2026
Sachin