



2026:AHC-LKO:41023

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 1133 of 2026**

Rajshekhar

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko.
And Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Ashish Kumar Shukla, Hari Om
Pandey
Counsel for Opposite Party(s): G.A., Pramod Kumar

Court No. - 11

HON'BLE RAJEEV SINGH, J.

1. Heard learned counsel for the applicant, learned AGA for the State and learned counsel for the complainant.
2. The present anticipatory bail application has been filed by the applicant with prayer to grant him anticipatory bail in Case Crime No. 168 of 2025, under Sections 109, 191(2), 191(3), 351(2), 109(1), 115(2), 352, 351(2), 3(5) BNS and Sections 3(1)(dha), 3(2)(v), 3(2)(va) of SC/ST Act, Police Station Nawabganj, District Pratapgarh.
3. Learned counsel for the applicant submits that the applicant was falsely implicated in the present case. The charge sheet was challenged and protection was given by the writ Court that the applicant will not be arrested till conclusion of the investigation. He further submits that the applicant never misused the liberty granted by the writ Court and now investigation has already been concluded and the charge sheet has been submitted. He also submits that there is no possibility of tampering of any evidence and custodial interrogation is not necessary. He lastly submits that the applicant is ready to cooperate in the trial, hence, he may be enlarged on anticipatory bail.

4. Learned AGA as well as learned counsel for the complainant vehemently opposes the prayer of the applicant. They submit that other co-accused persons, namely, Kamta Prasad and Vimal Kumar Maurya have been enlarged on regular bail in Criminal Appeal Nos. 294 of 2026 and 786 of 2026, respectively, therefore, the applicant is not entitled for anticipatory bail. However, they do not dispute the fact that during the course of investigation, the co-accused persons were not taken into custody.

5. Considering the submissions of learned counsel for the parties and going through the contents of the anticipatory bail application as well as other relevant material, it is evident that the co-accused persons have already been enlarged on bail. During the course of investigation, arrest of the applicant was stayed by the writ Court. In such circumstances, no custodial interrogation is necessary. Therefore, it is a fit case for anticipatory bail.

6. However, the applicant is directed to submit personal bond of **Rs. 20,000/-** and two sureties in the like amount before the trial court within a period of one month.

7. It is further provided that in case the applicant is taken into custody, he shall be released forthwith by the arresting officer ***on anticipatory bail*** after taking personal bond of **Rs. 50,000/-** and two sureties each in the like amount with the following conditions:-

(i) The applicant shall not commit or participate in any offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(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 or tamper with the evidence.

(iii) The applicant shall remain present, in person, before the Trial Court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C./351

B.N.S.S. If in the opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

8. With above directions, the anticipatory bail application is ***allowed***.

June 12, 2026

Arpan

(Rajeev Singh,J.)