



2026:AHC:174437

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 7042 of 2026**

Heeralal

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Pankaj Kumar Sharma
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.
2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 301 of 2025, under Sections 61(2), 109, 115(2), 191(2), 191(3), 352 of the B.N.S., 2023, Police Station – Soron, District Kasganj, with a prayer to enlarge him on anticipatory bail, as the applicant apprehends his arrest in the aforesaid case.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He has nothing to do with the alleged offence in spite of that the police are trying to arrest the applicant. The applicant has been named in the FIR along with seven other named accused persons and about 50-60 unknown persons. A general role has been assigned to the applicant and the other co-accused in the FIR. It is alleged in the FIR that the accused persons caused injuries to the injured persons with sticks, sharp-edged weapons, and country-made pistols. It is further contended that two persons, namely Anar Singh and Santosh, sustained injuries in the alleged incident. As per the injury report of Anar Singh, he sustained two injuries on his person, which were found to be simple in nature. As per the injury report of Santosh, he sustained a single injury, namely traumatic swelling on the left side of his chest, which was also found to be simple in nature. It is further submitted that no offence whatsoever under Section 109 of the BNS is made out, and Section 109 was intentionally imposed in order to keep the applicant behind bars. When the statements of the injured persons were recorded, they again attributed only a general role to the applicant and the other co-accused. As per the FSL report, no residue of firearm was found. The criminal history of one case of the applicant has

been explained in the affidavit accompanying anticipatory bail application. Similarly situated co-accused Moharpal @ Morpal has been granted anticipatory bail by this Court in NABAIL No.5738 of 2026. Learned counsel for the applicant further submits that the applicant undertakes to cooperate during investigation and trial and shall appear as and when required by the Investigating Agency or the Court concerned. It has also been stated that, in case the applicant is granted anticipatory bail, he shall not misuse the liberty of bail, shall cooperate with the investigation, and shall abide by all the conditions that may be imposed by the Court.

4. Learned A.G.A. has opposed the prayer for grant of anticipatory bail, however, could not dispute the factual submissions made by the learned counsel for the applicant.

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

6. A general role has been assigned to the applicant in the FIR. The injuries on the person of the injured are not found to be grievous in nature or dangerous to life. Similarly situated co-accused Moharpal @ Morpal has been granted anticipatory bail by this Court. The criminal history of the applicant has been satisfactorily explained.

7. Taking into consideration the entire facts and circumstances of the case, as discussed above, I deem it appropriate to enlarge the applicant on anticipatory bail.

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

9. In the event of the arrest of the applicant- **Heeralal**, 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.

August 18, 2026
Kushal

(Rajiv Lochan Shukla,J.)