



2026:AHC-LKO:40550

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

**CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C.
No. - 409 of 2026**

Shivanand

.....Applicant(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Home
Lko. And Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Maya Ram Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 11

HON'BLE RAJEEV SINGH, 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 by the applicant with a prayer to grant him anticipatory bail in FIR No. 390 of 2021 under Sections 498A, 304B IPC and Section 3/4 of the D.P. Act, Police Station Katra Bazar, District Gonda.
3. Learned counsel for the applicant submits that the applicant is the father-in-law, aged about 76 years. The son of the applicant and his daughter-in-law were residing at Jagadhari, Haryana in relation to employment. The daughter-in-law of the applicant died at Jagadhari, thereafter, the complainant and other persons started blackmailing him and only with the intention to put pressure on him, he has also been implicated in the FIR. He further submits that the applicant has no concern with the crime in question. The charge sheet has already been submitted. He next submits that during the course of investigation, the applicant filed a petition challenging the FIR, in which, interim protection was granted to the extent that he will not be arrested during the course of investigation, and there is no evidence that he ever misused the liberty granted by this Court in the said petition. He also submits that the applicant is ready to

cooperate in the trial, hence, he is entitled for anticipatory bail.

4. Learned A.G.A., while opposing the prayer of the applicant, submits that sufficient evidence has been found regarding the involvement of the applicant. However, he does not dispute the fact that the applicant was residing at the village in District Gonda, but his daughter-in-law and son were residing at Jagadhari, Haryana, where they were working.

5. Considering the submissions of learned counsel for the parties and going through the contents of the bail application as well as other relevant documents, it is evident that there are general allegations against the applicant for victimization. The applicant is residing at the village in District Gonda and the incident of death of his daughter-in-law took place at Jagadhari, Haryana, where his son and daughter-in-law were residing. Therefore, it is a fit case for anticipatory bail. In case the applicant is taken into custody, he shall be released forthwith on anticipatory bail by the arresting officer after furnishing personal bond of **Rs. 25,000/-** 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.

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

7. Copy of this order be also communicated to the trial court, forthwith.

June 9, 2026

Arpan

(Rajeev Singh,J.)