



2026:AHC:177695

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S
482 BNSS No. - 5002 of 2026**

Ankush Singh And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ayush Mishra, Prabha
Shanker Mishra

Counsel for Opposite Party(s) : Prakhar Srivastava, G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Case has been called on in the revised call.
2. Heard, Sri Prabha Shankar Mishra, the Learned counsel for the applicant and the Learned A.G.A. for the State.
3. None appears for the informant.
4. This Court on 21.05.2026 passed the following order:-

1. Sri Prabha Shanker Mishra, learned counsel for the applicants appear and hand up the affidavit sworn by applicant no.2 accompanying the application for anticipatory bail, the same is taken on record.

2. Sri Prakhar Srivastava, learned counsel for the informant appears and hands up the Vakalatanama without welfare stamp, the same is taken on record.

3. Heard Sri Mishra, learned counsel for the applicants, Sri Srivastava, learned counsel for the informant and learned AGA for the State and perused the record.

4. It is contended by learned AGA that instruction is not being received so far and seeks time.

5. *The learned counsel for applicants seek interim anticipatory bail.*

6. *The present application has been moved seeking anticipatory bail in Case Crime no. 160 of 2026, under Sections 131, 109(1), 115(2), 352, 351(3), 191(2), 118(2), 238 of BNS, P.S. Modinagar, District- Ghaziabad.*

7. *It is contended by learned counsel for accused applicants that the accused/applicants have been falsely implicated in the FIR dated 13.04.2026 lodged by the informant with the allegation that the accused/applicant and other co-accused have beaten the informant's family members with lathi and danda. Three persons from the side of informant have suffered injuries. The injury report shows that the injuries are simple in nature. It is contended by the learned counsel that the informant had booked banquet hall of the accused/applicant, wherein there was some altercation, which led to the fight. The accused/applicant no.1 has one case criminal history, wherein he has been acquitted. The accused/applicants are brother and sister. The accused/applicants want to appear before the Investigating Officer to cooperate in the investigation but apprehending arrest. Hence seeks interim anticipatory bail.*

8. *The scope of ambit of anticipatory bail is encapsulated in three insightful judgments of Hon'ble Supreme Court right from **Gurubaksh Singh Sibbia Vs. State of Punjab** reported in (1980) 2 SCC 565, **Siddharam Satlingappa Mhetre Vs. State of Maharashtra** reported in (2011) 1 SCC 694 and **Sushila Aggarwal and others Vs. State (NCT of Delhi)** and **another** reported in (2020) 5 SCC 1, wherein it is consistently held by Hon'ble Apex Court that while granting anticipatory bail, the Court should consider the application of the applicants to evaluate the threat or apprehension of arrest vis-a-vis the nature and gravity of accusation, criminal*

antecedent of the accused, false or exaggerated implication, need of custodial interrogation, willingness of the accused to cooperate in investigation and trial and the conduct of the accused and flight risk.

9. *This Court while considering the arguments, explained criminal history and gravity of accusation and apprehension of arrest in the case vis-a-vis low flight risk and assurance of the accused in cooperating with the investigation and trial, is of considered view to grant interim bail.*

10. *In the event of arrest of the **applicants- Ankush Singh and Akansha Singh** involved in the aforesaid case crime shall appear before the trial court or the Investigating Officer as the case may be within **thirty days** from the date of this order and shall be released on interim anticipatory bail till the next date fixed on his furnishing a personal bond of Rs. 25,000/- with two sureties each in the like amount to the satisfaction of the Court concerned, with the following conditions :-*

(i) The applicants shall not tamper with evidence and that he would appear before the trial Court on the date fixed unless exempted by the Court concerned;

(ii) The applicants 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/her/them from disclosing such facts to the Court or to any police officer;

(iii) The applicants would co-operate during trial and would not misuse the liberty of bail.

(iv) The applicants shall not leave India without prior permission of the Court concerned.

(v) The applicants shall ensure the presence before the Investigating Officer in view of interim anticipatory bail granted.

11. In default of any of the conditions, the prosecution shall be at liberty to file appropriate application for cancellation of interim anticipatory bail granted to the applicants.

*12. List this case on **14.08.2026**.*

13. Learned AGA is directed to obtain instructions by the next date."

5. Today, when the case has been called on, learned A.G.A. has stated that he has received instructions.

6. Learned counsel for the applicant has reiterated the submissions as recorded in the earlier order passed by this Court. Learned counsel has further submitted that similarly situated co-accused Ankit Singh and Ashish Singh have been granted anticipatory bail by this Court in **CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 5176 of 2026**. The case of the applicants stands on a similar footing to that of the co-accused.

7. Learned A.G.A. has opposed the prayer for bail, however, does not dispute the fact that the case of the applicants stands on a similar footing to that of the co-accused.

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

9. The three injured who are said to have received injuries are not stated to have received any injury which may be considered to be grievous in nature or dangerous to life. The applicant No. 1 has a criminal history of one case in which he has been acquitted. The applicant No. 2 is a lady and has no criminal antecedents. The applicant No. 1 and 2 are brother and sister who claim to have been falsely implicated. Similarly situated co-accused Ankit Singh and Ashish Singh have already been granted anticipatory bail by this Court. The applicants were on

interim anticipatory bail and are not shown to have misused the liberty granted to them by this Court.

10. Taking note of the entire facts and circumstances of the case, I deem it appropriate to confirm the interim anticipatory bail granted to the applicants.

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

12. In the event of the arrest of the **applicants- Ankush Singh and Akansha Singh** , they shall be released forthwith in the Case Crime no. 160 of 2026, under Sections 131, 109(1), 115(2), 352, 351(3), 191(2), 118(2), 238 of BNS, P.S. Modinagar, District- Ghaziabad, on anticipatory bail on the same terms and conditions as provided in the order dated 21.5.2026.

August 21, 2026
Sachin

(Rajiv Lochan Shukla,J.)