



2026:AHC:173672

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 7549 of 2026**

Nandan Kumar And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	: Sanjay Dwivedi
Counsel for Opposite Party(s)	: G.A., Narayan Singh(Kushwaha)

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicants, Sri Narayan Singh(Kushwaha), the Learned counsel for the informant, 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 applicants in Case Crime No.367 of 2026, under Sections 115(2), 352, 351(2), 109(1) of the B.N.S. (under Sections 323, 504, 506, 307 I.P.C.), P.S. - Ali Nagar, District- Chandauli, with a prayer to enlarge them on anticipatory bail as the applicants apprehend their arrest in the above-mentioned case.
3. The Learned counsel for the applicants states that the applicants have no criminal antecedents. The applicants in the first information report have been given a general role. The injured has received only a single head injury which has later on been opined to have an undisplaced linear fracture of the parietal bone. The Learned counsel for the applicants has further submitted that there was a monetary dispute between the parties and taking advantage of the injured, who is a young girl aged about 11 years, falling down and receiving some head injury, a fake narrative has been prepared in the FIR.
4. The Learned counsel for the informant and the Learned A.G.A. have opposed the prayer for grant of anticipatory bail and have contended that the first information report clearly names the applicants. Specific role has been given to the applicants in the statement of the informant recorded

under Section 180 BNSS. Investigation is still pending and the applicants may be required for custodial interrogation and further recoveries.

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

6. The FIR has been lodged with a delay of 4 days. The injured has received a single visible injury. In the statement of the informant, the said injury has been attributed to the applicant No.2- Chandan Kumar. In the opinion of this Court, no case for grant of anticipatory bail to the No.2- Chandan Kumar is made out.

7. This application so far as it relates to the ***applicant No. 2 Chandan, is rejected.***

8. So far as the applicant Nos. 1 and 3 are concerned, they have been given the role of exhortation and abusing the informant. No such specification of role has been made in the FIR. Even though, the FIR has been lodged after 4 days of the occurrence. In the opinion of the Court, over implication and false implication of the applicants cannot be ruled out. The applicant No.1 is the brother and the applicant No. 3 is the father of the applicant No. 2, which also leads to a satisfaction of this Court that they may have been falsely implicated in the present case. The applicant Nos. 1 and 3 have no criminal antecedents.

9. Taking into account the entire fact and circumstances of the case and also the fact that the single head injury received by the injured has been assigned to the co-accused, applicant No.2 Chandan Kumar, I find it appropriate to grant anticipatory bail to the applicant Nos.1 & 3.

10. In view of the above, the anticipatory bail application of the applicant Nos.1 & 3, is **allowed.**

11. In the event of the arrest of the **applicant Nos.1 & 3 viz. Nandan Kumar & Samagya**, they 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 applicants shall make themselves available for interrogation by a

police officer as and when required;

ii. that 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 them from disclosing such facts to the Court or to any police officer;

iii. that the applicants shall not leave India without the previous permission of the Court;

iv. that the applicants 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 18, 2026

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