



2026:AHC:168865

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 7780 of 2026

Rohit And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Anchal Agrawal, Rajesh Yadav, Ruchi Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Ms Ruchi Mishra, learned counsel for the applicants, Sri R.K. Srivastava, learned A.G.A. for the State and perused the record.
2. The present application has been filed by the applicants seeking bail in anticipation of their arrest in Case Crime No. 114 of 2025, under Sections 191(2), 191(3), 190, 333, 115(2), 117(2), 352, 351(3), 109(1), 76 BNS, Police Station- Jani, District- Meerut.
3. At the very outset, learned counsel for the applicants has submitted that she is not pressing the anticipatory bail of applicant no.1, Rohit, who has been released on regular bail. Therefore, anticipatory bail application so far as the applicant no.1 is concerned, may be **dismissed as not pressed** and she is pressing bail application of applicant no.2-Yogendra Kumar @ Bablu.
4. Contention of learned counsel for the applicants is that in the FIR, allegations have been made against 11 persons for beating the injured Vinod, Sanej and Payal but as per medical report, Vinod received only one injury in his spine while the other injuries sustained by Vinod and Sanej are simple in nature. It is further submitted that eye witness Payal, who was also injured, has stated in her statement regarding presence of co-accused Pavan, Amit and Rohit, who have already been released on regular bail by the court below. She further submitted that on the basis of general and vague allegations, 11 persons have been nominated and presence of the applicants on the spot has not been established from the statement of eye witness Payal, therefore, the applicants have been falsely implicated. It is

further submitted that the applicant was also released on anticipatory bail in Criminal Misc. Anticipatory Bail Application U/S 482 BNSS No.4797 of 2025 till conclusion of investigation. Therefore, the applicant is also entitled to be released on anticipatory bail on the ground of parity. Now charge sheet has been filed. No separate material has been collected and applicants have co-operated during the investigation. It is lastly submitted that co-accused Prashant Kumar and Rajat, have already been released on anticipatory bail by a coordinate Bench of this Court in Criminal Misc. Anticipatory Bail Application u/s 482 BNSS No.6421 of 2026 vide order dated 16.07.2026. Therefore, applicants are entitled to be released on anticipatory bail being on similar footing. In case, the applicants are released on anticipatory bail, they will co-operate in trial.

5. Learned A.G.A. has opposed the prayer for anticipatory bail.

6. Thus, without expressing any opinion on the merits of the case and considering the nature of accusations, gravity of offence and antecedents of applicants, this Court is of the view that the applicants are entitled to get anticipatory bail as per the Constitution Bench judgment of the Apex Court in the case of **Sushila Aggarwal vs. State (NCT of Delhi) - 2020 SCC Online SC 98**.

7. The applicant no.2- **Yogendra Kumar @ Bablu** involved in the aforesaid crime be released on anticipatory bail during trial on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant no.2 shall make himself available for interrogation by a police officer as and when required;

(ii) The applicant no.2 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 no.2 shall not leave India without the previous permission of the Court;

(iv) The applicant no.2 shall not tamper with the prosecution evidence

by intimidating/ pressurizing the witnesses, during the trial.

(v) The applicant no.2 shall not indulge in any criminal activity or commission of any crime after being released on bail.

(vi) In case the applicant no.2 fail to co-operate in the trial, the court below is at liberty to issue coercive process against him to appear before the trial court.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of anticipatory bail.

9. With the aforesaid observations/directions, the application of the applicant no.2 stands **disposed of**.

August 12, 2026
S.C.

(Arun Kumar Singh Deshwal,J.)