



2026:AHC:162120

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION
U/S 482 BNSS No. - 7769 of 2026

Kunti Devi And 2 Others

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ashish Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State as well as perused the record.
2. The present anticipatory bail application has been filed on behalf of the applicants in Case Crime No. 173 of 2024, under Section 419, 420, 467, 468, 471, 120B IPC, Police Station- Nichalaul, District Maharajganj, with a prayer to enlarge them on anticipatory bail as the applicants apprehend their arrest in the abovementioned case.
3. Learned counsel for the applicants submits that applicants have been falsely implicated in the present case. The Applicants belong to the 'Gond Caste'. The applicants are scheduled tribes. The matter with respect to the applicants is pending at the State Level Caste Scrutiny Committee. Learned counsel for the applicants contends that till the decision of the State Level Caste Scrutiny Committee, no prosecution can be initiated against the applicants.
4. Learned AGA has opposed the prayer for bail however has not disputed that the applicants case is pending consideration before the State Level Caste Scrutiny Committee.

5. I have considered the submissions made by the Learned counsels for the parties. The allegations against the applicants are that the applicants are not members of Scheduled Tribe and by misrepresenting they have obtained caste certificates of the scheduled tribes by claiming to be of the 'Gond Caste'.

6. The applicants have placed a notice dated 17.03.2026 addressed to the husband of the applicant No. 1, Kamlesh Gond regarding appearance before the State Level Scrutiny Committee. The matter is still said to be pending before the State Level Scrutiny Committee. Applicants Nos. 1 and 2 are ladies, and the applicant No. 3 is son of the co-accused, Kamlesh Gond. The applicants have no criminal antecedents.

7. Taking into account the facts and circumstances of the case, I deem it appropriate to enlarge applicants on anticipatory bail.

8. In view of the above, the anticipatory bail application of the applicants is ***allowed***.

9. In the event of the arrest of the applicants-**Kunti Devi, Sunita Devi, Krishna Kumar**, they shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing of their 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 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;

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 3, 2026
Priyanka

(Rajiv Lochan Shukla,J.)