



2026:AHC:166655

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 7776 of 2026

Sannu Mishra

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

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

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicant, the Learned A.G.A. for the State, Mrs. Manju Yadav, the Learned counsel for the High Court Legal Services Committee and perused the record.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.46 of 2025, under Sections 352, 351(2), 74 of B.N.S. and Section 7/8 of POCSO Act, Police Station- Fazalganj, District- Kanpur Nagar, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case.

3. Matter pertains to the POCSO Act.

4. The Learned A.G.A. submits that notice has been served on the informant on 24.07.2026. However, today when the case has been called on, no one has put in appearance on behalf of the informant.

5. The Learned counsel for the applicant has contended that applicant has been falsely implicated in the present case. There is a previous enmity between the parties. The First Information Report was lodged against five named accused. Even in the statement of the victims, no specific allegations of sexual assault have been made against the applicant. In the statement of one of the victims, allegation of forcibly putting colour on the victim has been made against the applicant and even in the said statement, no sexual assault has been alleged against the applicant. The Learned counsel for the applicant has further contended that specific allegations have been made against the co-accused Aditya and Prateek,

who have been exonerated during investigation. The Learned counsel for the applicant has further contended that except the applicant, all the other named accused have been exonerated during investigation.

6. The Learned counsel appearing for the High Court Legal Services Committee and the Learned A.G.A. have opposed the prayer for grant of anticipatory bail. However, they could not dispute the fact that similarly situated co-accused Prateek Sagar, Aditya Sagar, Prince Savita and Chhotu Savita, have been exonerated during investigation. They also could not dispute the fact that applicant has no criminal antecedents.

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

8. From the perusal of the charge sheet, it transpires that charge sheet has been filed only against the applicant and the other named accused have been exonerated. The maximum punishment in the event of a conviction for the offences alleged against the applicant is not more than seven years. The applicant is no longer required for any custodial interrogation. The applicant has no criminal antecedents.

9. Taking into account all the facts and circumstances of the case and without expressing any opinion on the merits of the case, I deem it fit to enlarge the applicant on anticipatory bail.

10. In view of the above, the anticipatory bail application of the applicant is **allowed**.

11. In the event of the arrest of the applicant **Sannu Mishra**, he 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 applicant shall make himself available for interrogation by a police officer as and when required;
- ii. that 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;
- iii. that the applicant shall not leave India without the previous permission

of the Court;

iv. that the applicant 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 10, 2026

Sachin