



2026:AHC:177670

HIGH COURT OF JUDICATURE AT ALLAHABAD

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

Anubhav Mishra

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Ashutosh Kumar Gupta, Bhoriguram Ji,
Deo Brat Pandey

Counsel for Opposite Party(s) : G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. This Court on 20.01.2026 passed the following order :

"1. Heard Sri Bhoriguram Ji Pandey, learned counsel for the applicant and Sri Manoj Gautam, learned A.G.A. for the State and perused the record.

2. Present application has been moved seeking anticipatory bail in Case Crime No. 79 of 2022, under Sections 147, 148, 149, 323, 325, 504, 506, 286, 308 IPC, Police Station Maudaha, District Hamirpur with the prayer that in the event of arrest, applicant may be released on bail.

3. At the very outset, learned A.G.A. submits that he has not received any instructions as yet.

4. On the other hand, learned counsel for the applicant submits that applicant is innocent and he has an apprehension that he may be arrested in the above-mentioned case. He further submits that no offence is made out against the applicant. It is further submitted that similarly placed co-accused Anuj Mishra and Lucky @ Utsav Mishra has already been granted anticipatory bail by this Court. It is further submitted that no specific role has been assigned to the applicant and as per FIR 10 named and 4-5 unknown persons are said to have assaulted the first informant side as a result of which 03 persons have received injuries but none of the injuries is dangerous to life. It is further submitted that the applicant is

having criminal history, which has been explained in the memo of application. It was also submitted that applicant undertakes to co-operate during trial and he would appear as and when required by the investigating agency or Court. It has been stated that in case, applicant is granted anticipatory bail, he shall not misuse the liberty of bail and will co-operate with the investigation and would obey all conditions of bail.

*5. It may be stated that in case of **Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694**, it has been held by Hon'ble Supreme Court that while deciding anticipatory bail, the Court must consider nature and gravity of accusation, antecedent of accused, possibility of accused to flee from justice and that Court must evaluate entire available material against the accused carefully and that the exact role of the accused has also to be taken into consideration.*

*6. Considering the above submissions of the learned counsel for the applicant and without expressing any opinion on merits, the applicant- **Anubhav Mishra** involved in the aforesaid case crime be released on **interim anticipatory bail** on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned till 17.2.2026 with the following conditions :-*

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

(iii) The applicant would cooperate during trial and would not misuse the liberty of interim interim anticipatory bail bail.

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

7. 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 applicant herein.

8. List this case as fresh on 17.2.2026.

9. In the meantime, learned AGA may obtain instructions in the matter. "

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

3. Heard learned counsel for the applicant; and learned A.G.A. for the State.

4. The learned counsel for the applicant contends that the maximum punishment for the offences alleged against the applicant is seven years in the event of a conviction. The co-accused Shyam Babu Mishra and Lucky alias Utsav Mishra have been granted anticipatory bail by this Court in NABAIL Nos 385 of 2026 and 10162 of 2025. The applicant although was shown involved in two criminal cases, however, his nomination in the said case was found to be false.

5. The learned A.G.A. has opposed the prayer for grant of anticipatory bail, however, could not dispute the factual submissions made by the learned counsel for the applicant.

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

7. The applicant has been assigned a general role. He had been granted interim protection by this Court in Criminal Misc. Writ Petition No.10837 of 2022. The applicant is also of interim anticipatory bail under the orders of this Court dated 20.01.2026. The applicant is not stated to have misused the liberty granted to him by this Court. This application had been dismissed for want of prosecution vide the order dated 14.05.2026, however, the same was restored and the interim order was also extended by the order dated 07.08.2026. Similarly situated co-accused Shayam Babu Mishra and Lucky alias Utsav Mishra have been granted anticipatory bail.

8. Taking into consideration the entire facts and circumstances of the

case, as discussed above, this Court deems it appropriate to confirm the interim anticipatory bail granted to the applicant.

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

10. The interim anticipatory bail granted to the applicant is hereby confirmed. In the event of the arrest of the applicant- **Anubhav Mishra**, in the above mentioned case, he shall be enlarged on anticipatory bail, on the same terms and conditions, as fixed in the earlier order dated 20.01.2026.

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.

(Rajiv Lochan Shukla,J.)

August 21, 2026
Kushal