



2026:AHC:177683

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S
482 BNSS No. - 4825 of 2026**

Shobhit Tiwari Alias Pranjal Tiwari

.....Applicant(s)

Versus

State Of U.P. And 2 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Kamlesh Shrama, Rajrshi
Gupta
Counsel for Opposite Party(s) : G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. This Court on 21.05.2026 had passed the following order:-

"1. Heard Sri Rajarshi Gupta, learned counsel for the applicant, learned AGA for the State and perused the record.

2. It is contended by learned AGA that instruction is not being received so far and seeks time.

3. The learned counsel for applicant seeks interim anticipatory bail.

4. The present application has been moved seeking anticipatory bail in Case Crime no. 30 of 2026, under Sections 7, 13(3) of Uttar Pradesh Public Examination (Prevention of Unfair Means) Ordinance 2024 and Section 319(2) and Section 61(2) BNS, P.S. Dullahpur, District-Ghazipur.

5. It is contended by learned counsel for accused applicant that the accused/applicant has been falsely implicated in the FIR dated 25.02.2026 lodged by the Static Magistrate against eight named persons including the accused/applicant. The seven accused were relatives of those students, who had

given examination in place of other. The accused/applicant is son of Manager and pursuing his B.Ed course and was stated to be instrumental in asking the co-accused to give highschool examination in place of other persons. The accused/applicant has no criminal history. The accused/applicant is student and wants to cooperate in the investigation but apprehending arrest. Hence seeks interim anticipatory bail.

*6. The scope of ambit of anticipatory bail is encapsulated in three insightful judgments of Hon'ble Supreme Court right from **Gurubaksh Singh Sibbia Vs. State of Punjab** reported in (1980) 2 SCC 565, **Siddharam Satlingappa Mhetre Vs. State of Maharashtra** reported in (2011) 1 SCC 694 and **Sushila Aggarwal and others Vs. State (NCT of Delhi) and another** reported in (2020) 5 SCC 1, wherein it is consistently held by Hon'ble Apex Court that while granting anticipatory bail, the Court should consider the application of the applicant to evaluate the threat or apprehension of arrest vis-a-vis the nature and gravity of accusation, criminal antecedent of the accused, false or exaggerated implication, need of custodial interrogation, willingness of the accused to cooperate in investigation and trial and the conduct of the accused and flight risk.*

7. This Court while considering the arguments, gravity of accusation and apprehension of arrest in the case vis-a-vis low flight risk and assurance of the accused in cooperating with the investigation and trial, is of considered view to grant interim bail.

*8. In the event of arrest of the **applicant- Shobhit Tiwari** involved in the aforesaid case crime shall appear before the trial court or the Investigating Officer as the case may be within **thirty days** from the date of this order and shall be released on interim anticipatory bail till the next date fixed on his furnishing a personal bond of Rs. 25,000/- with two*

sureties each in the like amount to the satisfaction of the Court concerned, 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 co-operate during trial and would not misuse the liberty of bail.

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

(v) The applicant shall ensure the presence before the Investigating Officer in view of interim anticipatory bail granted.

9. 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.

*10. List this case on **21.08.2026**.*

11. Learned AGA is directed to obtain instructions by the next date."

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

3. Learned counsel for the applicant has reiterated the submissions as recorded in the earlier order.

4. Learned A.G.A. has opposed the prayer for bail, however, could not dispute the fact that the applicant has no criminal

history.

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

6. The applicant claims to be a student pursuing his B.Ed. course. The applicant is not shown to have been giving the examination in place of the actual examinees. The applicant is stated to be the son of the Manager of the Institution from where the supposed examinees, who were to give the examination were enrolled. The applicant is on interim anticipatory bail and is not stated to have misused the liberty granted to him.

7. Taking into account the entire facts and circumstances of the case, as also the fact that the applicant has no criminal antecedents, I deem it appropriate to confirm the interim anticipatory bail granted to the applicant.

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

9. In the event of the arrest of the **applicant Shobhit Tiwari Alias Pranjal Tiwari**, he shall be released forthwith in the Case Crime no. 30 of 2026, under Sections 7, 13(3) of Uttar Pradesh Public Examination (Prevention of Unfair Means) Ordinance 2024 and Section 319(2) and Section 61(2) BNS, P.S. Dullahpur, District- Ghazipur, on anticipatory bail on the same terms and conditions as provided in the order dated 21.05.2026.

August 21, 2026
Sachin

(Rajiv Lochan Shukla,J.)