



2026:AHC:178227

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 8415 of 2026

Basant

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Shikhar Awasthi
Counsel for Opposite Party(s)	:	G.A., Pradeep Kumar Bhardwaj

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicant, the Learned A.G.A. for the State, Sri Pradeep Kumar Bhardwaj, the Learned counsel for the informant and perused the record.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.184 of 2026, under Sections 318(4), 336(3), 338, 340(2), 351(2) B.N.S., P.S.- Kakod, District- Bulandshahar, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case.

3. Learned counsel for the applicant has contended that the applicant has been falsely implicated in the present case. He is stated to be one of the persons who had introduced the informant to the fake vendors and is not a party to the sale deed in question either as the vendor/vendee or a marginal witness. Learned counsel for the applicant has further submitted that the applicant has not received any part of the sale consideration in his account. Similarly situated co-accused Parvesh @ Banti Bhati has been granted interim protection by a Division Bench of this Court in **Criminal Misc. Writ Petition No. - 17974 of 2026 (Parvesh @ Banti Bhati Vs. State of U.P. and 2 Others)**. The applicant although has a criminal history of two other cases, however, in one case the applicant is on bail and the second case relates to a matrimonial dispute of his elder brother in which the applicant was not charge-sheeted.

4. The Learned counsel for the informant, on the other hand, has opposed the prayer for grant of anticipatory bail and has contended that a huge amount of Rs. 1,46,00,000/- has been misappropriated. A fake sale deed was executed by an

impostor and the applicant and the co-accused Parvesh were the primary accused, who were instrumental in getting the informant introduced to the impostors. Learned counsel for the informant has further pointed out that another First Information Report being Case Crime No. 825 of 2026, has been lodged against the applicant and the co-accused Kuldeep @ Goli and this shows a pattern of repeated crimes by the applicant and he may not be considered for grant of anticipatory bail.

5. The Learned A.G.A. has adopted the submissions made by the Learned counsel for the informant, however, could not dispute the explanation given by the applicant regarding his criminal antecedents.

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

7. Similarly situated co-accused Parvesh @ Banty Bhati has been granted interim protection from arrest by a Division Bench of this Court in **Criminal Misc. Writ Petition No. - 17974 of 2026 (Parvesh @ Banti Bhati Vs. State of U.P. and 2 Others)**

. The said writ petition is still pending consideration of this Court. The applicant has duly explained his criminal antecedents. The one case being referred to by the Learned counsel for the informant is a case which has been lodged subsequent to the present case. The applicant is not a previous convict and he is not stated to be the beneficiary of the sale deed. There are no transactions linking the applicant to the sale consideration as stated in paragraph No. 23 of the supplementary affidavit.

8. In view of the entire facts and circumstances of the case, this Court is of the *prima facie* opinion that a case for anticipatory bail is made out.

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

10. In the event of the arrest of the applicant **Basant**, 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;

11. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

12. 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 24, 2026
Sachin

(Rajiv Lochan Shukla,J.)