



2026:AHC-LKO:40430

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 1018 of 2026**

Vaibhav Singh

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko. And
Another

.....Opposite
Party(s)

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

Court No. - 3

HON'BLE KARUNESH SINGH PAWAR, J.

Heard learned counsel for the applicant and Shri Alok Singh, learned AGA for the State.

The present anticipatory bail application has been filed seeking anticipatory bail in case crime No. 197/2025, under Sections 316(2), 316(5), 319(2), 318(4), 337, 338, 336(3) and 340(2) of the BNS at Police Station Kotwali Nagar, District Balrampur.

Learned A.G.A. has raised a preliminary objection regarding the maintainability of the present anticipatory bail application. It is submitted that the applicant's earlier anticipatory bail application, being Criminal Misc. Anticipatory Bail Application No. 1853 of 2025, was disposed of by order dated 12.01.2026. Learned A.G.A. contends that while withdrawing the said application, the applicant had sought and was granted liberty to file a regular bail application. However, instead of availing the said remedy, the applicant has preferred the present second anticipatory bail application on the same grounds, rendering the present application not maintainable.

It is further submitted that the applicant is a habitual offender having a criminal history of 17 cases, including the present one. Learned A.G.A. has also pointed out that the instant F.I.R. was lodged on 15.08.2025 under Sections 316(2), 316(5), 319(2), 318(4), 337, 338, 336(3) and 340(2) of the Bharatiya Nyaya Sanhita at Police Station Kotwali Nagar, District

Balrampur. It is submitted that charge-sheet has already been submitted against two co-accused persons, whereas charge-sheet against the present applicant could not be filed on account of his non-cooperation. The applicant has been evading the process of law and appears to be absconding. On these grounds, it is urged that the present anticipatory bail application deserves to be dismissed.

In response, learned counsel for the applicant submits that co-accused Poonam Singh and Santosh Gupta have already been granted anticipatory bail by this Court vide orders dated 20.11.2025 and copies of the orders have been brought on record as Annexure Nos. 7 and 8 to the present application. It is, therefore, contended that the applicant is also entitled to the benefit of parity.

Replying the aforesaid submission, learned A.G.A. submits that the cases of the said co-accused stand on an entirely different footing. It is submitted that anticipatory bail was granted to them primarily on account of the fact that they are ladies. Learned A.G.A. further points out that in the anticipatory bail order passed in favour of Poonam Singh, specific reference has been made to the role attributed to the present applicant, Vaibhav Singh. It is contended that no specific allegation was levelled against Poonam Singh and Santosh Gupta by co-accused Mahesh Tripathi, the Branch Manager. However, in his statement, Mahesh Tripathi has categorically attributed a specific role to the present applicant, which distinguishes his case from that of the co-accused who have been granted anticipatory bail.

Perused the record, so also the earlier dismissal order dated 12.01.2026 as contained in Annexure No. 12 to the present anticipatory bail application and also the long and chequered criminal history of the applicant comprising 17 criminal cases, including the present one.

A perusal of the earlier order dated 12.01.2026 shows that the first anticipatory bail application filed by the applicant was withdrawn with liberty to seek regular bail before the appropriate court. Despite having obtained such liberty, the applicant has chosen not to file a regular bail application and has instead preferred the present second anticipatory bail application. Such conduct, coupled with the applicant's long criminal antecedents involving 17 criminal cases, disentitles him from seeking the

relief of anticipatory bail.

In view of the aforesaid facts and circumstances, this Court is not inclined to entertain the present anticipatory bail application. The preliminary objection raised by the learned A.G.A. carries force. Accordingly, the present anticipatory bail application is ***dismissed***.

(Karunesh Singh Pawar,J.)

June 8, 2026
R.C.