



2026:AHC:174360

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 8478 of 2026**

Madan Singh And Another

.....Applicant(s)

Versus

State Of U.P

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Dhirendra Kumar Srivastava
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicants, the Learned A.G.A. for the State, Sri Neelesh Kumar Mishra, the Learned counsel for the informant and perused the record.

2. The present anticipatory bail application has been filed on behalf of the applicants in Case Crime No.86 of 2026, under Sections 190, 191(2), 191(3), 109(1), 115(2), 351(3) of the B.N.S. 2023, P.S. - Baburi, District- Chandauli, with a prayer to enlarge them on anticipatory bail as the applicants apprehend their arrest in the above-mentioned case.

3. Learned counsel for the applicants has contended that the applicant No. 1 is an old man aged about 71 years and the applicant No. 2 is a lady who is the wife of the applicant No. 1. She is also an old lady. The Learned counsel for the applicants has further submitted that general role has been assigned to the applicants along with 5 other named accused persons, who all belong to the same family. The injured are although 4 in number, however, none of them have received any injury, which may be considered to be grievous in nature or dangerous to life. The applicants have a criminal history of 1 other case, which had been lodged by the informant himself.

4. The Learned counsel for the informant has opposed the prayer for bail and has contended that similarly situated co-accused Anil Maurya was not considered for grant of anticipatory bail by this Court and only an interim protection of 4 weeks was granted to him to go and obtain regular bail. It

is further contended that 4 persons have been brutally assaulted and there is also a video which indicates that the applicants and the other accused have participated in the occurrence. The Learned counsel for the informant, however, could not dispute the explanation given by the applicants regarding their criminal history.

5. The Learned A.G.A. has also adopted the submissions made by the Learned counsel for the informant.

6. I have considered the submissions made by the Learned counsel of the parties.

7. The applicants are stated to be old aged persons, where the applicant No. 1 is stated to be 71 years of age and the applicant No. 2 who is his wife is stated to be equally old. The injuries received by the injured have not been opined to be grievous in nature or dangerous to life. No specific role has been given to the applicants. The case of the applicants being old aged and infirm persons stands on a different footing from that of the co-accused.

8. In view of the above, the anticipatory bail application of the applicants is **allowed**.

9. In the event of the arrest of the applicants **Madan Singh & Vidya Devi**, they 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 applicants shall make themselves available for interrogation by a police officer as and when required;
- ii. that the applicants 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 them from disclosing such facts to the Court or to any police officer;
- iii. that the applicants shall not leave India without the previous permission of the Court;
- iv. that the applicants shall not pressurize/intimidate the prosecution witness;

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

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 18, 2026

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