



2026:AHC-LKO:19718

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

**CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C.
No. - 1438 of 2022**

Sangeeta Singh

.....Applicant(s)

Versus

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

.....Opposite Party(s)

Counsel for Applicant(s)	:	Sandeep Kumar Pandey, Shitla Prasad Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 23

HON'BLE RAJEEV BHARTI, J.

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

The present application under Section 438 Cr.PC./482 BNSS has been filed seeking anticipatory bail in Case Crime No. 348 of 2022, for offence punishable under Sections 147, 148, 149, 307, 323, 504, 353 of the Indian Penal Code and Section 7 of Criminal Law Amendment Act, registered at Police Station- Gosaiganj, District- Sultanpur

The Co-ordinate Bench of this Court vide order dated 02.09.2022 has passed the following order granting interim anticipatory bail to the applicant:-

"Heard Sri Sandeep Kumar Pandey, learned counsel for the applicant and Sri Diwakar Singh, learned A.G.A. for the State and perused the material on record.

The present bail application has been filed on behalf of applicant Sangeeta Singh under Section 438 of the Code of Criminal Procedure, with a prayer to release her on anticipatory bail in Case Crime No. 348 of 2022, for offence punishable under Sections 147, 148, 149, 307, 323, 504, 353 of the Indian Penal Code and Section 7 of Criminal Law Amendment Act, registered at Police Station- Gosaiganj, District- Sultanpur till the conclusion of trial, after rejecting the anticipatory bail application of the applicant by Additional Sessions Judge/F.T.C. 14th Finance Commission, Sultanpur vide order dated 02.08.2022.

Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case due to ulterior motive.

It is further submitted that the present first information report has been lodged against 7 named persons including the applicant by police. It is further submitted that the police has committed marpit with the applicant no. 1. and she sustained 4 injuries, which was caused by hard and blunt object as per medical examination report dated 2.7.2022, the injuries were 1- 2 days old.

It is further submitted that the applicant is no more required for custodial interrogation. The applicant has no criminal history and she has not undergone any imprisonment after conviction by any court of law in relation to any cognizable offence previously. It is further contended that the applicant is ready to participate in the investigation.

Learned A.G.A. has opposed the prayer for anticipatory bail of the applicant.

It is settled position of law that the anticipatory bail being an extraordinary privilege should be granted only in exceptional cases. Parameters for grant of anticipatory bail in a serious offence are required to be satisfied, where the Court is prima facie of the view that the applicant has falsely roped in the crime and would not misuse his liberty.

Considering the facts and circumstances of the case and the law laid down by the Hon'ble Apex Court in the case of Sushila Aggarwal Vs. State (NCT of Delhi)-2020 SCC Online SC 98, ground for grant of ad interim anticipatory bail is made out.

Learned A.G.A. may file counter affidavit within two weeks.

Rejoinder affidavit, if any, may be filed within one week thereafter.

List on 23.9.2022.

In case of arrest, the applicant, Sangeeta Singh is directed to be enlarged on anticipatory bail till the hearing of the present application in above case crime number, on her furnishing personal bond of Rs. 25,000/- and two sureties each of like amount before the Station House Officer of Police Station/Court concerned with the following conditions:-

(i) The applicant shall make herself available for interrogation by the police officer as and when required, if investigation is in progress;

(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 such person from disclosing such facts to the Court or to any police officer;

(iii) The applicant shall not leave the country without the previous permission of the Court and if she has passport, the same shall be deposited by them before the S.S.P./S.P. concerned/Court concerned;

(iv) The party shall file computer generated copy of such order

downloaded from the official website of High Court Allahabad, self attested by the applicant along-with a self attested identity proof of the said person (preferably Aadhar Card) mentioning the mobile number to which the said Aadhar Card is linked;

(v) The concerned Court/Authority/Official shall verify the authenticity of such computerized copy of the order from the official website of High Court Allahabad and shall make a declaration of such verification in writing.

The Investigating Officer will continue with the investigation, if it is in progress and will not be affected by this order. "

Learned counsel for the applicant submits that the applicant has been released on interim anticipatory bail after filing of the personal bonds and two sureties in compliance of the aforesaid order. She has duly cooperated in the investigation. She has not misused the liberty of interim anticipatory bail granted by the Court. She undertakes to cooperate in the trial and in case, She is enlarged on anticipatory bail, she shall not misuse the liberty of same.

Learned A.G.A. opposed the prayer for anticipatory bail but could not dispute the aforesaid facts as argued by the learned counsel for the applicant.

Without expressing any opinion on the merits of the case and considering the nature of accusation so also the fact that the applicant has not misused the liberty of interim anticipatory bail granted by the Court coupled with the undertaking given by the applicant that she will cooperate in the trial, the interim protection granted by the coordinate bench of this Court vide order dated 02.09.2022 is made absolute in view of dictum of Apex Court in re: ***Sushila Aggarwal Vs. State (NCT of Delhi)-2020 SCC online SC 98.***

In view of the aforesaid, the anticipatory bail application is **allowed.**

(Rajeev Bharti,J.)

March 18, 2026/Arti-