



2026:AHK-LKO:19942

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

**CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C.
No. - 120 of 2026**

Narendra Kumar Rawat

.....Applicant(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Home Deptt. U.P.
Lko. And Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Dinesh Kumar, Amar Deep Mishra
Counsel for Opposite Party(s)	:	G.A., Neeraj Trivedi, Rakesh Kumar Shukla

Court No. - 13

HON'BLE SAURABH LAVANIA, J.

1. Counter affidavit filed by Sri Neeraj Trivedi, Advocate on behalf of opposite party No. 2 in the Court today is taken on record.
2. Heard learned counsel for the parties and perused the material placed on record.
3. The present anticipatory bail application has been filed by the applicant in relation to FIR/Case Crime No.0359 of 2019, under Section- 302 I.P.C., Police Station- Gosaiganj, District- Lucknow.
4. Vide order dated 25.02.2026, this Court had protected the interest of the applicant. The order dated 25.02.2026, referred, reads as under:-

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

2. The present anticipatory bail application has been filed by the applicant in relation to FIR/Case Crime No.359 of 2019 under Sections 302 I.P.C., Police Station - Gosaiganj, District - Lucknow.

3. For the purposes of entertaining the present application and protecting the interest of the applicant, this Court considered the facts as indicated including that:-

(i) In FIR No. 359/2019 dated 03.06.2019, lodged at Police Station Gosaiganj, Lucknow, in connection to which the present applicant has been filed seeking anticipatory bail, the name of the applicant finds place.

(ii) After lodging of the FIR, investigation was carried out and upon completion of investigation by the Investigating Officer (in short 'I.O'), the Final Report dated 11.06.2020 was filed.

(iii) The final report was filed after considering the statement of the witnesses as also the post-mortem report of the deceased, wherein the cause of death has been opined to be 'Ante-mortem Hanging' as also the injuries found by the autopsy surgeon on the body of the deceased.

(iv) Against the Final Report dated 11.06.2020, the informant filed a protest petition and it was allowed vide order dated 11.03.2022.

(v) In compliance of the aforesaid order dated 11.03.2022 passed by the Magistrate concerned, the I.O carried out the investigation and upon completion of investigation, the I.O. again filed Final Report dated 21.01.2023.

(vi) The informant thereafter filed a protest petition against the Final Report dated 21.01.2023. In this the Magistrate concerned has passed the order dated 11.04.2025.

(vi) In compliance of the order dated 11.04.2025, the Investigating Officer is conducting the investigation and therefore, there is an apprehension of arrest.

4. This Court has also considered the following fact(s):-

(i) The deceased had executed a registered agreement to sell dated 19.03.2018 in favour of the present applicant, which was registered in the office of the Sub-Registrar, Mohanlalganj, Lucknow, on the same day.

(ii) According to the agreement to sell dated 19.03.2018 executed by the deceased in favour of the applicant, the deceased was under obligation to transfer land bearing Gata No. 130/4/0.464 hectares, situated at Mohanlalganj, District Lucknow.

(iii) The period of execution of transfer/sale deed is indicated at page no.6 of the copy of the agreement to sell on record.

(iv) Subsequently, the deceased filed a civil suit for cancellation of agreement to sell dated 19.03.2018 in month of March 2019, as it appears from the copy of the plaint on record dated 12.03.2019.

5. Upon due consideration of the entire material on record, this Court is of the prima facie view that custodial interrogation of the applicant is not required in the facts and circumstances of the present case.

6. Learned counsel for the applicant undertakes that the applicant shall cooperate in the trial.

7. Learned A.G.A. opposed the prayer made by applicant's counsel.

8. Taking note of the aforesaid, this Court finds that the interest of the applicant is liable to be protected.

9. Accordingly, as an interim measure, it is provided that in the event of arrest, the accused-applicant -Narendra Kumar Rawat be released forthwith in the aforesaid case crime on anticipatory bail on his furnishing a personal bond of Rs.25,000/- and two sureties in the like amount to the satisfaction of Station House Officer of the Police Station/Court concerned, with the following conditions:-

(i) That the accused-applicant shall make himself available for interrogation by police authorities as and when required and will cooperate with the investigation;

(ii) That the accused-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; and

(iii) That the accused-applicant shall not leave India without the previous permission of the Court.

10. List/put up this case on 18.03.2026, in top 20 cases.

11. It is also made clear that the interim order would be extended only after hearing the learned counsel for the applicant on merits.

12. In the meantime, learned counsel for the informant may also file response to the present bail application and no further time would be granted for the said purpose.

13. It is made clear that on the next dates of listing, the case would not be adjourned on account of absence of learned counsel for the informant and appropriate orders would be passed in the first call including an order adversarial to the informant."

5. The learned counsel appearing for the prosecution could not demonstrate from the record that there is any adversarial fact which are pleaded in the bail application. This Court finds that the applicant was enlarged on anticipatory bail after considering the merits of the case. The learned counsel for the prosecution also could not point out any fact based upon which it can be inferred that the applicant has not cooperated with the investigation proceedings or otherwise any glaring fact which can adversely affect the merit of the case.

6. In view of the aforesaid, the present anticipatory bail application is hereby **allowed** while extending anticipatory bail to the applicant- **Narendra Kumar Rawat** till disposal of the trial subject to the following conditions:-

(i) that 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/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(iii) that the applicant shall not leave India without the previous permission of the court;

(iv) that the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted; and

(v) that the applicant shall not pressurize/intimidate the prosecution witness.

7. In case of default, it would be open for the Investigating Agency to move application for vacation of this order.

March 18, 2026
Arun/-

(Saurabh Lavania,J.)