



2026:AHC:54728

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2551 of 2026**

Virendra And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sudarshan Singh, Vivek Sehgal
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Sudarshan Singh, learned counsel for the applicants, Sri B.P. Singh, learned A.G.A. for the State and perused the record.

2. The present application has been moved seeking anticipatory bail in Case Crime no. 40 of 2026, u/s 109, 324(4), 121(1), 131, 3(5) BNS and Section 4/21 Mines and Minerals Act, P.S. Baheri, District Bareilly with the prayer that in the event of arrest, the applicants may be released on bail.

3. It is contended by learned counsel for the applicants that 39 unknown and 5 named persons have been made accused in the alleged incident. However, no one has received any injury in the incident. It is further submitted that as per the FIR several trucks were indulged in illegal mining activities and when the police intercepted them they tried to run their motor vehicles over the police officers. It is further submitted that applicants undertakes to co-operate during trial and to appear as and when required by the investigating agency or Court and in case they are granted anticipatory bail, they shall not misuse the liberty of bail and would obey all conditions of bail.

4. On the other hand, learned A.G.A. opposed the prayer for grant of anticipatory bail

5. I have considered the rival submissions made by learned counsel for

the parties.

6. It may be stated that in case of **Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694**, it has been held by Hon'ble Supreme Court that while deciding anticipatory bail, the Court must consider nature and gravity of accusation, antecedents of the accused, possibility of accused to flee from justice and that Court must evaluate the entire available material against the accused carefully and the exact role of accused has also to be taken into consideration.

7. Considering all attending facts and circumstances of the case, settled principle of law regarding anticipatory bail, submissions of learned counsel for the parties, nature of accusation, role of applicants and the fact that no one has received any injury in the alleged incident, without expressing any opinion on merits, a case for anticipatory bail is made out.

8. The anticipatory bail application is **allowed**.

9. In the event of arrest of the applicants **Virendra** and **Raju** involved in the aforesaid case crime, they shall be released on anticipatory bail on their furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned, with the following conditions :-

(i) The applicants shall not tamper with evidence and shall appear before the trial Court either in person or through counsel on each and every date fixed unless exempted by the Court concerned and shall not seek any undue adjournment;

(ii) 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 him/her/them from disclosing such facts to the Court or to any police officer;

(iii) The applicants would co-operate during trial and would not misuse the liberty of bail.

(iv) The applicants shall not leave India without prior permission of the Court concerned.

10. In default of any of the conditions, the prosecution shall be at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicants.

(Jitendra Kumar Sinha,J.)

March 17, 2026
Vandana