



2026:AHC:58308

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2553 of 2026**

Ayyub

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Javed Alam, Mohd. Azam
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Mohd. Azam, learned counsel for the applicant, Shri Manoj Gupta, A.G.A. for the State and perused the record.
2. The present application has been moved seeking anticipatory bail in Case Crime No. 374 of 2025, under Sections 351(2), 76, 75 of BNS, Police Station-Amroha Nagar, District-Amroha, with the prayer that in the event of arrest, applicant may be released on bail.
3. It is contended by the learned counsel for the applicant that the applicant has served notice under Section 35(3) BNS during the investigation. He further submitted that the applicant has falsely implicated in the present case some matrimonial dispute. It is further submitted that applicant has no criminal history. It was also submitted that applicant undertakes to co-operate during trial and he would appears as and when required by the investigating agency or Court. It has been stated that in case, applicant is granted anticipatory bail, he shall not misuse the liberty of bail and will co-operate with the investigation and would obey all conditions of bail.
4. On the other hand, the learned A.G.A. has opposed the prayer for anticipatory bail and submits that no specific role has been assigned to the applicant.
5. The applicant was served a notice under Section 35(3) of the BNSS. During the course of the investigation, no charge sheet has been filed, and

the applicant is cooperating in the trial. The First Information Report (FIR) alleges that the applicant sexually harassed the informant.

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, Court must consider nature and gravity of accusation, antecedent of accused, possibility of accused to flee from justice and that Court must evaluate entire available material against the accused carefully and that the exact role of the accused has also to be taken into consideration.

7. In the instant case, considering the settled principle of law regarding anticipatory bail, submissions of the learned counsel for the parties, role of applicant and all attending facts and circumstances of the case, 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 applicant- **Ayyub** in the aforesaid case crime shall be released on anticipatory bail on his 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 applicant shall not tamper with evidence and that he would appear before the trial Court on the date fixed unless exempted by the Court concerned;

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

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

(iv) The applicant 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 applicant.

(Jitendra Kumar Sinha,J.)

March 17, 2026

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