



2026:AHC:58360

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2556 of 2026**

Parvej And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Rajesh Kumar Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Rajesh Kumar Pandey, learned counsel for the applicant, Shri Shiv Dutt Shukla, A.G.A. for the State and perused the record.

2. The present application has been moved seeking anticipatory bail in Case Crime no. 263 of 2025, under Sections 191(2), 191(3), 190, 109(1), 115(2), 352, 351(3), 125 of BNS and Section 7 Criminal Law Amendment Act, Police Station B.B. Nagar, District Bulandshahr, with the prayer that in the event of arrest, applicants may be released on bail.

3. It is contended by the learned counsel for the applicants that no specific role has been assigned to any of the accused persons, and that the co-accused, Sohail, has already been granted anticipatory bail by this Hon'ble Court vide order dated 13.02.2026, passed in Criminal Misc. Anticipatory Bail Application under Section 482 BNSS No. 1454 of 2026. It is further submitted that, as per the First Information Report, two group of persons are said to have indulged in fighting with each other. It is further submitted that the first information report has been lodged by a police officer and the no specific role has been assigned to any of the alleged incident. It is further submitted that applicants are having criminal history. It was also submitted that applicants undertake to co-operate during trial and they would appear as and when required by the investigating agency or Court. It has been stated that in case, applicants are granted anticipatory bail, they 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 grant anticipatory bail and submits that applicant no. 1 Parvej has criminal history relating to the offence under Section 325 IPC.

5. Co-accused, Sohail, has already been granted anticipatory bail by this Hon'ble Court vide order dated 13.02.2026, passed in Criminal Misc. Anticipatory Bail Application under Section 482 BNSS No. 1454 of 2026. As per the First Information Report, two group of persons are said to have indulged in fighting with each other and no specific role has been assigned to any of the applicant in the alleged incident. Learned A.G.A. has pointed out that applicant no. 1, Parvej is having criminal history of one case relating to the offence under Section 325 of the IPC.

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 applicants 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 applicants- **Parvej and Sharvej @ Shahvej** 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 applicants shall not tamper with evidence and that they would

appear before the trial Court on the date fixed unless exempted by the Court concerned;

(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 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

Neetu