



2026:AHC:54259

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2561 of 2026**

Ajay Gupta @ Sahu

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ajay Kumar Tiwari, Sangam Lal
Kesharwani

Counsel for Opposite Party(s) : G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Sangam Lal Kesharwani, learned counsel for the applicant, Shri 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.23 of 2026, under Sections 318(4), 336(3), 338, 319(2), 340(2) of B.N.S. and Sections 66C and 66D of the I.T. Act, Police Station Nawabganj (Ganganagar Commissionerate), District Prayagraj, with the prayer that in the event of arrest, applicant may be released on bail.

3. It has been argued by the learned counsel for the applicant that applicant is innocent and he has been falsely implicated in this case. It is further submitted that the name of the applicant has surfaced in the confessional statement of arrested co-accused Aneesh Kumar Patel and Surendra Gupta and it is alleged that the arrested co-accused persons were involved in the preparation of the forged and fabricated Aadhar Card, however, three Aadhar Cards, which have been recovered from their possession have been found to be genuine one. It is further submitted that the applicant is said to be the owner of the premisses from where, the said co-accused persons have been arrested. It is also submitted that the applicant is having no criminal history. It was also submitted that applicant undertakes to co-operate during trial and he would appear 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, learned A.G.A. has opposed the application for anticipatory bail and it has been submitted by him that the applicant is having criminal history relating to the offence under Sections 147, 148, 323, 353, 447, 504, 506 of I.P.C. and Section 7 of Criminal Law Amendment Act.

5. The name of the applicant has surfaced in the confessional statement of arrested co-accused Aneesh Kumar Patel and Surendra Gupta and it is alleged that the arrested co-accused persons were involved in the preparation of the forged and fabricated Aadhar Card, however, three Aadhar Cards, which have been recovered from their possession have been found to be genuine one. It is further submitted that the applicant is said to be the owner of the premisses from where, the said co-accused persons have been arrested. It is also submitted that the applicant is having no criminal history.

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- **Ajay Gupta @ Sahu** involved 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 him/her/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
RKM