



2026:AHC:53741

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2573 of 2026

Danish

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Dr. Kamlesh Kumar, Rakesh Kumar
Counsel for Opposite Party(s) : G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Learned counsel for the applicant; and learned A.G.A. for the State are present.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 18 of 2026, under Sections 69, 351(1), 61(2) of the B.N.S., 2023, Police Station – Amroha Nagar, District Amroha, with a prayer to enlarge him on anticipatory bail, till the conclusion of the trial.

3. The learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He seeks anticipatory bail on the following grounds :-

i. The applicant never made any promise of marriage to the victim.

ii. The victim is a married woman; as such, there could be no false promise of marriage.

iii. The victim is a mother of two children and was living separately at Amroha. The applicant was also a tenant in the same building.

iv. It is the admitted case, as per the statement under Section 183 B.N.S.S., that the victim and the applicant became close to each other, and the applicant expressed his desire to marry the victim, which itself indicates that the applicant was unaware of the marital status of the victim.

v. The applicant has no criminal antecedents.

4. Learned A.G.A. has opposed the prayer for grant of anticipatory bail, submitting that the applicant is the primary accused in the present case and had made a false promise of marriage. It is further submitted that the applicant threatened the victim with making her photographs viral. However, learned A.G.A. does not dispute the assertion that the applicant has no criminal antecedents.

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

6. The First Information Report (FIR) has been lodged with a delay. The alleged incident is stated to have occurred between 28.11.2025 and 03.12.2025, whereas the FIR was lodged on 13.01.2026. The statement of the victim recorded under Section 183 B.N.S.S. indicates that her husband resides in Mumbai, and for the past two years, she has been residing at Amroha in rented accommodation along with her children. It is an admitted case in the statement under Section 183 B.N.S.S. that the applicant, who was also a tenant in the same building, developed a close relationship with the victim. It has not come in the investigation that the victim had divorced her husband. In such circumstances, prima facie, it does not appear that there was a false promise of marriage.

7. Taking all the above-mentioned factors into consideration as well as the fact that the applicant has no criminal antecedents, I deem it appropriate to enlarge the applicant on anticipatory bail.

8. The anticipatory bail application of the applicant is **allowed**.

9. In the event of the arrest of the applicant- **Danish**, involved in the aforesaid case crime, he shall be released on anticipatory bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned, with the following conditions:-

- i. 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 from disclosing such facts to the Court or to any police officer;

iii. that the applicant shall not leave India without the previous permission of the Court;

iv. that the applicant shall not pressurize/intimidate the prosecution witness;

10. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

11. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

March 17, 2026

Kushal