



2026:AHC:62026

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2632 of 2026**

Amit Kumar

.....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. - 71

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the material brought on record.

2. The present application has been moved seeking anticipatory bail in Case Crime No. 40 of 2026, under Sections 109, 324(4), 121(1), 131, 3(5) of B.N.S. and Section 4/21 of Mines and Minerals Act, Police Station Baheri, District Bareilly, with the prayer that in the event of arrest, applicant may be released on anticipatory bail.

3. It has been argued by the learned counsel for the applicant that applicant is not named in the F.I.R. which was lodged against 19 named persons and 25 unknown persons. It is a no injury case and general allegation has been made against all the accused and no specific role has been assigned to any of the accused. Two other accused who were not named in the F.I.R. have already been granted anticipatory bail. The investigation is going on and charge sheet has not been filed as yet. The applicant is innocent and he has an apprehension that he may be arrested in the above-mentioned case, whereas there is no credible evidence against him. It has further been submitted that applicant has no criminal antecedents and that no coercive process has been issued against the applicant so far. It was also submitted that applicant undertakes to cooperate during investigation and trial and he would appear as and when required by the investigating agency or Court. It has been stated that in case, the applicant is granted anticipatory bail, he shall not misuse the

liberty of bail and will cooperate with the investigation and would obey all conditions of bail.

4. Learned A.G.A. has opposed the application for anticipatory bail.

5. 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.

6. In the instant case, considering the settled principle of law regarding anticipatory bail, submissions of the learned counsel for the parties, nature of accusation, role of applicant and all attending facts and circumstances of the case, without expressing any opinion on merit of the case, a case for anticipatory bail is made out.

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

8. In the event of arrest of the applicant- Amit Kumar, involved in the aforesaid case crime shall be released on anticipatory bail till submission of police report on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Station House Officer of the police station concerned with the following conditions :-

(i) the applicant shall make himself available for interrogation by a police officer as and when required;

(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 investigation and trial and would not misuse the liberty of bail.

9. In default of any of the conditions, the Investigating Officer/prosecution shall be at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant.

(Dr. Gautam Chowdhary,J.)

March 25, 2026

Mustaqeem.