



2026:AHC:54892

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2515 of 2026**

Harish Urf Harish Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Abhay Pratap Singh, Anoop Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Abhay Pratap Singh, learned counsel for the applicant, Sri O.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. 312 of 2025, u/s 352, 351(3), 109(1) BNS, and Section 4/25 Arms Act, P.S. Khanpur, District Bulandshahr, with the prayer that in the event of arrest, the applicant may be released on bail.
3. It is contended by learned counsel for the applicant that the applicant has been assigned the role of catching hold whereas co-accused Dharmendra is said to have assaulted the brother of the first informant, namely, Rajkumar by a sharp edged weapon as a result of which the brother of the first informant received simple injuries. It is submitted that co-accused Dharmendra and Anuj have already been granted anticipatory bail. It is further submitted that criminal history of the applicant has been explained in the memo of application and he undertakes to co-operate during trial and to appear as and when required by the investigating agency or Court and in case he is granted anticipatory bail, he shall not misuse the liberty of bail and would obey all conditions of bail.
4. On the other hand, learned A.G.A. opposed the prayer for grant of anticipatory bail.
5. I have considered the rival submissions made by learned counsel for

the parties.

6. The applicant has been assigned the role of catching hold whereas co-accused Dharmendra is said to have assaulted the brother of the first informant by a sharp edged weapon as a result of which he received injuries on his chest, hand and abdomen. However, the injuries are found to be simple in nature. Co-accused Dharmendra and Anuj have already been granted anticipatory bail.

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

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

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

10. In the event of arrest of the applicant **Harish Kumar** involved in the aforesaid case crime, he 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 shall appear before the trial Court either in person or through counsel on each and every date fixed unless exempted by the Court concerned and shall not seek any undue adjournment;

(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.

11. 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

Vandana