



2026:AHC:54952

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2520 of 2026**

Phool Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Rajesh Kumar Dubey
Counsel for Opposite Party(s) : G.A., Shobhit Pratap Singh, Vineet
Vikram

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Rajesh Kr. Dubey, learned counsel for the applicant, Sri Shobhit Pratap, learned counsel for the first informant, Manoj Gautam, 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. 444 of 2020, under Sections 419, 420, 467, 468, 471, 120-B, 465 IPC, P.S. George Town, District Prayagraj 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 applicant is marginal witness of the alleged sale deed which has been executed by the real owner Gokaran in favour of co-accused Anupam Kumar Singh and Ashish Kumar Singh and the genuineness of the sale shall be decided in the civil court. It is further submitted that criminal history of the applicant of three cases 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 counsel for the first informant submitted that the above Gokaran earlier executed his power of attorney, in respect of his property, in favour of his brother Jaikaran who later on executed an

agreement to sell, regarding a portion of the said property, in favour of the first informant and the first informant purchased the property in dispute prior to execution of the alleged sale deed of Gokaran in favour of co-accused Anupam and Ashish.

5. Learned A.G.A. also opposed the prayer for grant of anticipatory bail.

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

7. The applicant is marginal witness of the alleged sale deed, executed by Gokaran in favour of co-accused Anupam Kumar Singh and Ashish Kumar Singh. It is alleged that the first informant purchased the land in dispute prior in time on the basis of agreement to sell executed by Jaikaran Singh in his favour. Whereas it is submitted by the counsel for the applicant that Gokaran is the real owner of the property in dispute.

8. 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.

9. 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.

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

11. In the event of arrest of the applicant **Phool Singh** 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.

12. 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