



2026:AHC:53849

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2533 of 2026**

Abhishek Rajbhar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Manoj Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Manoj Yadav, learned counsel for the applicant, Sri Uma Shankar Mishra, 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. 324 of 2025, under Sections 191(2), 191(3), 190, 109, 115(2), 117(2), 324(4) of BNS, Police Station Sikandarpur, District- Ballia with the prayer that in the event of arrest, the applicant may be released on bail.

3. It is contended by the learned counsel for the applicant that the co-accused Suraj Kumar Pandey has already been granted bail by this Court, vide order dated 09.03.2026 passed in Criminal Misc. Anticipatory Bail Application U/S 482 BNSS No. 1274 of 2026. He further submitted that two other co-accused persons namely Kanhaiya Tiwari and Ankit Rajbhar have also been granted interim anticipatory bail by this Court. He next submitted that, as per the first information report, 11 named accused persons and 5-6 unknown persons are alleged to have assaulted the first informant's side as. As a result of the said incident, one of the injured persons received a fracture, whereas the remaining injuries have not been found to be grievous in nature. He is also submitted that a specific role of assault has been assigned to the co-accused Krishna Tiwari, and no such specific role has been attributed to the present applicant. It is also submitted that the applicant is having criminal history, which is explained in paragraph no. 21 of the affidavit. 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 submitted that the applicant is having criminal history of two cases relating to offences under Sections 323, 504 & 506 of the IPC, which is not explained.

5. It is further submitted that the First Information Report has been lodged against 11 named accused persons and 5-6 unknown persons and specific role of assault by Farsa has been assigned to co-accused Krishna Tiwari. It is further submitted that the Co-accused Suresh Kumar Pandey has already been granted anticipatory bail by this Hon'ble Court and two other co-accused Kanhaiya Tiwari and Ankit Rajbhar have granted interim anticipatory bail by this Hon'ble Court.

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

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 applicants 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 applicant **Abhishek Rajbhar** 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

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