



2026:AHC:58104

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2544 of 2026

Devo @ Devendra Pujari And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sanjay Kumar Dwivedi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Sanjay Kumar Dwivedi, learned counsel for the applicants, Shri Manoj Gautam, A.G.A. for the State and perused the record.

2. The present application has been moved seeking anticipatory bail in Case Crime no. 406 of 2025, under Sections 191(2), 131, 115(2), 352, 351(2) of BNS & Sections 3(1)Da, 3(1)Dha, 3(2)Va SC/ST Act, Police Station-Farah, District-Mathura, with the prayer that in the event of arrest, applicants may be released on bail.

3. It is contended by learned counsel for the applicants that the applicants are innocent and they have been falsely implicated in this case. It is further submitted that no offence under the SC/ST Act is made out against the applicants. It is further submitted that only general and omnibus allegations have been levelled against the applicants and no specific role has been assigned to any of the applicant. It is further submitted that the place of occurrence of the alleged offence has been shown inside the house of the first informant, which is not in public view. Learned counsel has placed reliance upon the judgment of the Hon'ble Supreme Court in **Kiran vs. Rajkumar Jivraj Jain**, wherein it has been held that from a bare reading of the First Information Report, no prima facie case under the SC/ST Act is disclosed, and consequently, the anticipatory bail application is maintainable. It is further submitted that applicants have no criminal history. It was also submitted that applicants undertakes to co-operate during trial and they would appear as and when required by the investigating agency or

Court. It has been stated that in case, applicants are granted anticipatory bail, they 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 prayer for anticipatory bail and submitted that the notice has been served upon first informant.

5. The notice has already been served upon the first informant. As per the First Information Report, the applicants and other co-accused persons are alleged to have entered the house of the first informant, where they abused and assaulted her while referring to her caste. It is noted that the place of occurrence is stated to be inside the house of the first informant, which is not in public view.

6. 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.

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

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

9. In the event of arrest of the applicants- **Devo @ Devendra Pujari And Mohanlal @ Mohan** in the aforesaid case crime shall be released on anticipatory bail on their 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 applicants shall not tamper with evidence and that they would appear before the trial Court on the date fixed unless exempted by the Court concerned;

(ii) The applicants 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 them from disclosing such facts to the Court or to any police officer;

(iii) The applicants would co-operate during trial and would not misuse the liberty of bail.

(iv) The applicants shall not leave India without prior permission of the Court concerned.

10. 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 applicants.

(Jitendra Kumar Sinha,J.)

March 17, 2026

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