



2026:AHC:58181

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2545 of 2026**

Chotu Mistri @ Aman Alam

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Rajeev Kumar Pandey, Shardendu Mishra

Counsel for Opposite Party(s) : G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Rajiv Kumar Pandey, learned counsel for the applicant, Shri B.P. Singh, A.G.A. for the State and perused the record.

2. The present application has been moved seeking anticipatory bail in Case Crime No. 385 of 2025, under Sections 317(2), 317(4), 317(5), 318(4), 336(3), 338, 340(2), 3(5) of BNS (Samakaksh Sections- 411, 413, 414, 420, 468, 467, 471, 34 of IPC), Police Station- Sarai Inayat, District- Prayagraj, with the prayer that in the event of arrest, applicant may be released on bail.

3. It is contended by learned counsel for the applicant that the name of the applicant surfaced in the confessional statements of co-accused Alabaksh and Afsar Ali, from whose possession the stolen articles were recovered. It is further submitted that there is no allegation in the FIR regarding any specific role, recovery, or direct participation of the applicant in the alleged incident. It is further submitted that the applicant has only one criminal antecedent, which has been duly explained in paragraph no. 12 of the affidavit. It was also submitted that applicant undertakes to co-operate during trial and he would appears 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 prayer for anticipatory bail and submitted that the name of the applicant has surfaced in the confessional statements of the arrested co-accused Alabaksh and Afsar Ali, from whose possession stolen articles, including mobile phones, are said to have been recovered. He further submitted that notice has already been served upon the first informant.

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, 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.

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

8. In the event of arrest of the applicant- **Chotu Mistri @ Aman Alam** in the aforesaid case crime 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 that he would appear before the trial Court on the date fixed unless exempted by the Court concerned;

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

9. 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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