



2026:AHC:57641

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 1782 of 2026

Shivraj And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Anil Kumar Jaiswal
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Anil Kumar Jaiswal, learned counsel for the applicants, Shri B.P. Maurya, 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.251 of 2025, under Sections 420, 467, 468, 471 of I.P.C., Police Station Rabupura, District Gautam Budh Nagar, with the prayer that in the event of arrest, applicants may be released on bail.
3. It has been argued by the learned counsel for the applicants that applicants are innocent and they have been falsely implicated in this case. It is further submitted that a civil dispute has been given the colour of criminality. It is further submitted that a per first information report, the applicants are said to have executed a sale deed of the property in favour of the first informant, which was earlier sold by their grand father. It is further submitted that co-accused Smt. Kanti Devi, Lakhan Singh and Khushpal Singh have already been granted anticipatory bail by this Court vide order dated 07.01.2026 passed in Criminal Misc. Anticipatory Bail Application U/s 482 BNSS No.10381 of 2025. It is also submitted that the applicants are having no criminal history. It was also submitted that applicants undertake 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 counsel for the first informant has opposed the

application for anticipatory bail and it has been submitted by him that the applicants have also assaulted the injured Aarti.

5. Learned AGA has also opposed the application for anticipatory bail.

6. Co-accused Smt. Kanti Devi, Lakhan Singh and Khushpal Singh have already been granted anticipatory bail by this Court vide order dated 07.01.2026 passed in Criminal Misc. Anticipatory Bail Application U/s 482 BNSS No.10381 of 2025 and the role of the applicants are not distinguishable from the role of the co-accused persons. As per first information report, applicant along with other co-accused persons are said to have transferred the property to the first informant, which was earlier transferred by their grand father to some other persons. It is also submitted that the applicants are having no criminal history

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, 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.

8. In the instant case, considering the settled principle of law regarding anticipatory bail, submissions of the learned counsel for the parties, role of applicants and all attending facts and circumstances of the case, 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 applicants - **Shivraj and Raviraj** involved 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 him/her/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.

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 applicants.

March 20, 2026
RKM

(Jitendra Kumar Sinha,J.)