



2026:AHC:59616

## HIGH COURT OF JUDICATURE AT ALLAHABAD

### CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 1867 of 2026

Amardeep

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Om Prakash Vishwakarma  
Counsel for Opposite Party(s) : G.A.

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**Court No. - 72**

**HON'BLE RAJIV LOCHAN SHUKLA, J.**

1. This Court on 24.02.2026 passed the following order:-

*"1. Heard the Learned counsel for the applicant, the Learned A.G.A. for the State and perused the record.*

*2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.264 of 2025, under Sections 137(2), 87, 98, 99, 96, 64(1) of B.N.S. & Section 3(2)(5) of SC/ST Act and Section 16/17 of Protection of Children from Sexual Offences Act, Police Station - Gyanpur, District- Bhadohi, with a prayer to enlarge him on anticipatory bail.*

*3. The Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and he seeks anticipatory bail on the following grounds:-*

*(i) The applicant is not named in the First Information Report.*

*(ii) The applicant has not been named in the statements recorded under Sections 180 and 183 BNSS of the alleged victim.*

*(iii) The applicant's name has cropped up in the custodial*

*statement of the co-accused, which is inadmissible in the evidence.*

*(iv) The applicant has no criminal antecedents and if enlarged on bail will not abscond and will cooperate with the investigation and the trial.*

*4. The Learned A.G.A., on the other hand, has stated that notice of the anticipatory bail application could be served on the informant only on 22.2.2026. He prays that some time may be given to the informant to appear before this Court and has opposed the prayer for grant of anticipatory bail.*

*5. Put up on 10.03.2026, as fresh.*

*6. Keeping in view the Holi holidays, which are to commence from 01.03.2026, the Learned counsel for the applicant prays that the applicant may be considered for interim anticipatory bail.*

*7. Prima facie, it appears that the applicant is not named in the First Information Report, statements of the victim recorded under Sections 180 and 183 BNSS and the applicant also does not have any criminal antecedents, a case for interim relief is made out.*

*8. Till 10.03.2026, in the event of the arrest of the applicant- Amardeep, he shall be released forthwith in the aforesaid case crime on interim anticipatory bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned with the following conditions:-*

- i. the applicant shall make himself available for interrogation by a police officer as and when required;*
- ii. that 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 from disclosing such facts to the Court or to any police officer;*

*iii. that the applicant shall not leave India without the previous permission of the Court;*

*iv. that the applicant shall not pressurize/intimidate the prosecution witness;*

*9. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.*

*10. In the meantime, the Learned A.G.A. may file a counter affidavit bringing on record the material collected during investigation against the applicant."*

2. Counter and rejoinder affidavits have been exchanged between the parties and no one has put in appearance from the side of the opposite party No.2.

3. The matter was adjourned on 24.02.2026 in the interest of justice with a view to grant time to the informant to appear and oppose the prayer for grant of anticipatory bail. However, till date no has put in appearance in the case.

4. In view of the above, this Court is proceedings to decide the case on its own merits with the assistance of the Learned counsel for the applicant and the Learned A.G.A. for the State.

5. The Learned counsel for the applicant has reiterated the submissions made before this Court as recorded in the order dated 24.2.2026.

6. The Learned A.G.A. has opposed the prayer for grant of anticipatory bail and has submitted that the victim is minor; there is sufficient material against the applicant and no indulgence may be granted to him.

7. I have considered the submissions made by the Learned

counsels for the parties and perused the material brought on the record.

8. The First Information Report was lodged against unknown persons. In the statements of the victim recorded under Sections 180 & 183 BNSS, 2023, the applicant has not been named. The evidence that has been collected during investigation is of the statement of the co-accused. The applicant has no criminal antecedents.

9. Taking into account all the facts and circumstances of the case as mentioned above, I deem it fit to enlarge the applicant on anticipatory bail.

10. In view of the above, the anticipatory bail application of the applicant is **allowed**.

11. In the event of the arrest of the **applicant- Amardeep**, he shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned with the following conditions:-

- i. the applicant shall make himself available for interrogation by a police officer as and when required;
- ii. that 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 from disclosing such facts to the Court or to any police officer;
- iii. that the applicant shall not leave India without the previous permission of the Court;
- iv. that the applicant shall not pressurize/intimidate the prosecution witness;

12. In case of breach of any of the above conditions, the Court

concerned shall be at liberty to cancel the bail.

13. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

**March 23, 2026**

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**(Rajiv Lochan Shukla,J.)**