



2026:AHC:55096

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2639 of 2026**

Smt. Seema

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State as well as perused the record.
2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 350 of 2018, under Section 376, 34 IPC, Police Station- Badalpur, District Gautam Buddha Nagar, with a prayer to enlarge her on anticipatory bail.
3. Learned counsel for the applicant states that the applicant has been falsely implicated in the present case. The applicant seeks anticipatory bail on the following grounds:-
 - (i) The applicant is the sister-in-law (Devrani) of the informant.
 - (ii) The father-in-law of the applicant had left 22 bighas agricultural land at Aligarh and a plot bearing 1000 sq. yards at Gautam Buddha Nagar as well as 5 bighas of land, which the applicant inherited from her parents in Bulandshahr. The informant seeks to usurp the said lands/properties.
 - (iii) For an assault made on the applicant, on 29.05.2018 an application was filed seeking registration of the case and the Learned Magistrate vide order dated 21.06.2018 has directed the case to be registered as a complaint. It is as a counter blast to the said complaint case the present FIR has been lodged.

(iv) The informant lodged the FIR regarding a fictitious incident dated 08.07.2018 on 27.07.2018. The explanation of 19 days delay in lodging the FIR is unexplained.

(v) The co-accused, who has been chargesheeted in an earlier chargesheet filed in the present case, had also filed a complaint against the victim.

(vi) This Court has granted bail to the co-accused Kanhaiya Giri in Criminal Misc. Bail Application No.415/2019 dealing with the facts, which indicate false implication of the applicant and the co-accused.

(vii) The applicant has no criminal antecedents.

4. Learned AGA has opposed the prayer for bail and has submitted that the applicant is nominated in the FIR and has actively participated in the crime. The co-accused Kanhaiya Giri has been granted regular bail by this Court and the applicant is seeking anticipatory bail by this Court.

5. I have heard the Learned counsels for the parties.

6. The FIR is delayed by 19 days. There appears to be a dispute with respect to inheritance of property between the applicant and the victim. The co-accused Kanhaiya Giri has been granted bail by this Court. The applicant was also granted interim protection by this Court in Criminal Misc. Writ Petition No.30970/2018 vide order dated 20.12.2018. The applicant has no criminal antecedents.

7. Taking into consideration all the above mentioned facts and circumstances, prima facie it appears that the applicant may have been falsely implicated in the case.

8. In view of the above, I deem it appropriate to enlarge the applicant on anticipatory bail till conclusion of the trial.

9. The anticipatory bail application of the applicant is ***allowed***.

10. In the event of the arrest of the applicant-**Smt. Seema**, she 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 herself 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 her 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;

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

12. 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.

(Rajiv Lochan Shukla,J.)

March 18, 2026

A. Pandey