



2026:AHC:58029

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2696 of 2026**

Deepak Kumar

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Rajesh Kumar Yadav, Shivam Yadav
Counsel for Opposite Party(s) : G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Learned counsel for the applicant; and learned A.G.A. for the State are present.
2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 74 of 2026, under Section 69, 89, 352, 351(2) of the B.N.S., 2023, Police Station – Ali Nagar, District Chandauli, with a prayer to enlarge him on anticipatory bail, till the conclusion of the trial.
3. The learned counsel for the applicant states that the applicant has been falsely implicated in the present case and seeks anticipatory bail on the following grounds :-
 - i. The applicant and the victim were admittedly in a long standing relationship for the past six years.
 - ii. The victim is a married woman having two children, and one of her daughters is also married.
 - iii. The victim had borrowed Rs.1 lakh from the applicant and was refusing to return the same. It is due to this reason that the First Information Report (FIR) has been lodged, just to avoid repayment of the said amount.
 - iv. The applicant has no criminal antecedents.

4. Learned A.G.A. has opposed the prayer for grant of anticipatory bail and has submitted that the applicant is the solitary named accused in the present case. The statement recorded under Section 183 B.N.S.S. also corroborates the FIR version. However, the learned A.G.A. has not denied the fact that the victim is a married woman.

5. I have considered the submissions made by the learned counsel for the parties and perused the material on record.

6. The FIR has been lodged after a delay. The exact date of the incident has not been specified, and the applicant and the victim are said to have been in a long-standing relationship of about six years. The applicant and the victim were in a romantic relationship, and it is alleged that the applicant applied "Sindoor" to the victim to indicate a ceremony of marriage when she had pressurized him to marry her.

7. In the opinion of this Court, the victim, being a married woman, could not have entered into a valid marriage. A long standing relationship of six years is admitted, and the victim has been married for the past thirteen years, as mentioned in the statement recorded under Section 180 B.N.S.S.

8. Taking into account the entire facts and circumstances of the case, including the statements of the victim recorded under Sections 180 and 183 B.N.S.S., prima facie, an offence under Section 69 of the B.N.S. is not made out. The applicant has no criminal antecedents, and in view of these facts and circumstances of the case, I deem it appropriate to enlarge the applicant on anticipatory bail.

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

10. In the event of the arrest of the applicant- **Deepak Kumar**, involved in the aforesaid case crime, he shall be released on anticipatory bail on his 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;

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 20, 2026

Kushal