



2026:AHC:58658

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 2734 of 2026**

Brahmpal Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Anil Kumar Mishra, Sandeep Kumar
Chaurasiya
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. 467 of 2025, under Sections 191(2), 333, 115(2), 352, 118(1), 109, 3(5) and 103(1) of the B.N.S., 2023, Police Station – Mandi Dhanaura, District Amroha, with a prayer to enlarge him on anticipatory bail.

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 First Information Report was initially lodged under Sections 191(2), 333, 115(2), 351, 118(1) of the B.N.S. Subsequently, upon the death of one of the injured, Ravi, the case was converted to an offence under Section 103 of the B.N.S.

ii. The applicant has no role in the alleged occurrence.

iii. The FIR was lodged against five named accused persons; however, the applicant has not been named therein.

iv. Even in the statement of the injured, Monu, no specific role of causing injury has been assigned to the applicant.

v. The incident allegedly occurred during a Panchayat between the family of the injured and Vanshi Kashyap, the father-in-law of the injured Monu. It is

alleged that thereafter, the co-accused, namely Nem Pal, Abhishek, Ajay, Charan Singh, Chhotu, and Vanshi Kashyap, along with the applicant, barged into the house of the injured and assaulted him and his brother.

vi. A perusal of the medico-legal reports and the post-mortem report indicates that the injured, Monu, sustained two injuries, while the deceased sustained a single injury. The cause of death has been stated to be septicemic shock due to multi-organ failure/brain injury. A hematoma was found in the brain of the deceased.

vii. The number of injuries does not correspond with the number of accused persons mentioned in the FIR and in the statement of the injured.

viii. The CCTV footage collected during the investigation shows that co-accused Abhishek, Sonu, and Ajay were armed with blunt weapons, and no overt act has been assigned to the applicant.

ix. The applicant is neither related to the accused nor to the injured party and was merely a bystander who has been falsely implicated.

x. The applicant has been implicated solely on the ground that he accompanied the other accused persons to attend the Panchayat, as also mentioned in paragraph No.27 of the affidavit.

4. Learned A.G.A. has opposed the prayer for anticipatory bail, submitting that the injured, Monu, has specifically nominated the applicant as one of the assailants who barged into the house and assaulted both the injured and the deceased. It is further submitted that the applicant participated in the Panchayat and thereafter in the assault. Although the applicant was not named in the FIR, the statement of the injured indicates his involvement. However, the learned A.G.A. could not pointed out any criminal antecedents of the applicant.

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

6. The FIR was lodged by Monu, the brother of the deceased, who is also an injured of the case; however the applicant has not been named therein. In the CCTV footage collected during investigation, only co-accused Abhishek, Ajay and Sonu have been identified as being armed. The deceased sustained a single injury, and the injuries sustained by the injured have not been found to be dangerous to life. The applicant has no criminal antecedents.

7. Taking into account all the above mentioned facts, especially the fact that the injured has himself lodged the FIR and not named the applicant as

assailant of the case, I deem it appropriate to enlarge the applicant on anticipatory bail.

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

9. In the event of the arrest of the applicant- **Brahmpal Singh**, 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;

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

11. 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 20, 2026
Kushal

(Rajiv Lochan Shukla,J.)