



2026:AHC:60685

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2826 of 2026

Mayank Jain @ Shainki

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ambreen Masroor, Sadrul Islam Jafri,
Sr. Advocate

Counsel for Opposite Party(s) : G.A.

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Sri Nazrul Islam Jafri, learned Senior Advocate, assisted by Sri Sadrul Islam Jafri, learned counsel for the applicant; and Sri Devesh Nath Tiwari, 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. 63 of 2026, under Sections 108, 308(2), 316(2), 351(2) of the B.N.S., 2023, Police Station – Sadar Bazar, District Agra, 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. He seeks anticipatory bail on the following grounds :-

i. The First Information Report (FIR) is delayed by four days, and no explanation for the said delay been furnished.

ii. The deceased was a widow having grown-up children, and she had entered into a relationship with the applicant, who is also a married man.

iii. The deceased used to suspect that the applicant might be involved with someone else, and due to this reason, the applicant and the deceased were having disputes.

iv. The WhatsApp chats that have been collected during investigation also

do not indicate any abetment by the applicant, and on the contrary, on the fateful day, it appears that the applicant had tried to dissuade the deceased from taking the extreme step.

v. The applicant has no criminal antecedents.

4. The learned A.G.A. has opposed the prayer for grant of anticipatory bail and has contended that the applicant is the solitary accused in the present case. He had been in a relationship with the deceased, and from the perusal of the WhatsApp chats, it is indicated that due to the disputes between the applicant and the deceased, the deceased took the extreme step and committed suicide. He further submits that despite being a married man, the applicant was in an immoral relationship with the deceased, and the statement of the daughter of the deceased also indicates that the applicant was considered as a father by them. On the strength of this evidence, the learned A.G.A. submits that the applicant is primarily responsible for the welfare of the deceased and that he had thus abetted the suicide of the deceased.

5. I have considered the submissions made by the learned counsel for the parties.

6. The FIR has been lodged with a delay. The WhatsApp chats between the applicant and the deceased, which have been annexed to the application, in the opinion of the Court, do not show any abetment by the applicant. The deceased was a mature lady having grown-up children. Even in the statement of the daughter of the deceased, who is said to be aged about 18 years, it does not appear that there was any abetment by the applicant. There is an assertion that there was some dispute between the applicant and the victim; however, in the opinion of the Court, the same does not constitute abetment as defined under Section 45 of the B.N.S. The applicant is stated to have no criminal antecedents.

7. In view of the entire facts and circumstances discussed above, 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- **Mayank Jain alias Shainki**

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. 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. The applicant shall not leave India without the previous permission of the Court;
- iv. 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.

(Rajiv Lochan Shukla,J.)

March 24, 2026
Kushal