



2026:AHC:63061

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 2939 of 2026**

Chandrabhan Singh Gaur

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Ashish Kumar Singh, Prabhakant Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Shri Prabhakant Singh, Learned counsel for the applicant and Shri Surendra Singh, Learned AGA for the State.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.24 of 2026, under Sections 108, 288, 352, 351(3) BNS, Police Station- Kurara, District Hamirpur, with a prayer to enlarge him on anticipatory bail, till the conclusion of the trial.

3. Learned counsel for the applicant has contended that the applicant has been falsely implicated in the present case. He seeks anticipatory bail on the following grounds:-

(i) The FIR has been lodged with delay of two days.

(ii) The applicant and his son have been nominated in the FIR even when they have no relation with the deceased nor had they made any claim over the property of the deceased. The dispute is between the deceased and his uncle.

(iii) The informant and the deceased are said to have consumed poison due to the harassment met out by the applicant and the co-accused, however, no specific details of any such harassment have been mentioned in the FIR.

(iv) The applicant had lodged an FIR against the deceased, which was registered as Case Crime No.153/2016 under Sections 452, 307, 504, 506 IPC and similarly another FIR was lodged by the brother of the deceased,

which was registered as Case Crime No.207 of 2016 under Section 307 IPC. In both the cases final reports were submitted. In view of this previous enmity, the applicant has been implicated in the present FIR.

(v) The applicant is an old man, aged about 71 years and is an advocate by profession. He has been falsely dragged into this case.

(vi) The co-accused, Chandresh Singh Gaur @ Chhutka, has been granted anticipatory bail by this Court in NA Bail No.2835 of 2026, vide order dated 24.03.2026. The case of the applicant stands on the similar footing to that of the co-accused.

4. Learned AGA has opposed the prayer for bail and submitted that the applicant is a named accused. The informant and the deceased had consumed poison due to the harassment met out by the accused persons and in such circumstances, the applicant may not be considered for grant of anticipatory bail. He has further submitted that the charge sheet has only been filed against the co-accused and the investigation with respect to the applicant is still pending.

5. I have considered the submissions made by the Learned counsel for the parties and perused the record.

6. The applicant although named in the FIR, no specific role of abetment of suicide of the deceased has been assigned to the applicant. The applicant had lodged an FIR against the deceased in the year 2016. There appears to be a dispute between the informant's side and the applicant. The applicant is not related to the uncle of the deceased with whom the FIR indicates a property dispute. The applicant is not a previous convict. The independent witnesses examined during investigation namely Santosh s/o Puttan, Ram Saijivan Yadav s/o Mathura and Shriram s/o Lallu have in their statements under Section 180 BNSS stated that the applicants has been falsely implicated and the dispute was between the co-accused Lallu and the deceased. The applicant is an old man, aged about 71 years and an advocate by profession. The similarly situated co-accused Chandresh Singh Gaur @ Chhutka has been granted anticipatory bail by this Court.

7. Taking into account all the above-mentioned factors, the nature and gravity of the allegations made against the applicant, evidence collected during investigation and the fact that the similarly situated co-accused has

been granted anticipatory bail by this Court, I deem it appropriate to grant anticipatory bail to the applicant.

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

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

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 26, 2026
Kushal

(Rajiv Lochan Shukla,J.)