



2026:AHC:63932

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2974 of 2026**

Anuj

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Pankaj Kumar Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Learned counsel for the applicant and Learned AGA for the State.
2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.32 of 2026, under Sections 108, 352 BNS, Police Station- Kotwali, District Etawah, with a prayer to enlarge him on anticipatory bail, during the pendency of trial.
3. Learned counsel for the applicant states that the applicant has been falsely implicated and he was not named in the FIR. The FIR makes the allegations only against the co-accused Prabal, who has been granted interim protection by this Court in Criminal Misc. Writ Petition No.4165/2026. He further submits that the applicant never instigated the deceased to commit suicide. Even, in the statement of the friend of the victim, Sejal Kushwaha, no allegation has been made against the applicant. Quite belatedly, in the second statement of the informant, the name of the applicant has been mentioned, however, no specific role has been assigned to the applicant and a passing remark has been made in the second statement that the applicant was also involved in harassing the deceased. The applicant has no criminal antecedents.
4. Learned AGA has opposed the prayer for bail and has contended that although the applicant is not named in the FIR, his name has surfaced in the second statement of the father of the deceased. He, however, has not

denied that the applicant has no criminal antecedents.

5. I have considered the submissions made by Learned counsels for the parties.

6. From a perusal of the record, it is indicated that the marriage of the deceased was fixed with the co-accused Prabal. In the FIR and the statement of the informant under Section 180 BNSS, the name of the applicant does not figure. The name of the applicant has been introduced in the second statement of the informant and even in the said statement, no specific allegation or any overt act has been attributed to the applicant. The statement of one witness, Sejal Kushwaha, who is said to have talked with the deceased on mobile just before her death, indicates that the father of the victim was a drunker and the victim was disturbed due to the constant unrest in the family. She also has stated that the deceased was quite sad at the time when she had talked with her.

7. From the entire facts and circumstances, as discussed above, in the prima facie opinion of this Court, an offence under Section 108 BNS is not made out against the applicant.

8. In view of the above, I deem it appropriate to grant anticipatory bail to the applicant.

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

10. In the event of the arrest of the applicant-**Anuj**, 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;

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 26, 2026

A. Pandey