



2026:AHC:62710

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION
U/S 482 BNSS No. - 532 of 2026

Manoj Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 72

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. 305 of 2025, under Sections 103(1), 115(2), 351(3), 61(2) of the B.N.S., 2023, Police Station – Fatehabad, 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 applicant has been named in the First Information Report (FIR) solely on account of being the husband of the deceased.
 - ii. There existed a matrimonial dispute between the applicant and the deceased.
 - iii. The applicant is now divorced and has remarried.
 - iv. The applicant had no motive to commit the murder of the deceased.
 - v. At the relevant point of time, the applicant was posted at Coimbatore being a CRPF personnel.

vi. The electronic evidence collected to suggest that the applicant hatched a conspiracy to kill the deceased is deficient, inasmuch as the alleged contact is only with his real brother.

vii. The applicant has no active criminal antecedents. He was falsely implicated in one case by the deceased; however, he was exonerated during investigation.

4. Learned A.G.A. has opposed the prayer for grant of anticipatory bail, submitting that the applicant, being the husband of the deceased, is the primary accused. It is contended that he conspired with the co-accused, Krishna and others, and in furtherance of the said conspiracy, the co-accused Krishna shot the deceased in broad daylight. The investigation against the applicant is still pending and he may be required for custodial interrogation. It is further submitted that the call detail records indicate that the applicant was in contact with the co-accused, Pradeep. The confessional statement of the co-accused Krishna also indicates that the conspiracy was hatched by the applicant along with other co-accused, and in furtherance thereof, a pistol and cartridges were supplied to the co-accused Krishna by the applicant, co-accused Pradeep, and co-accused Jogendra.

5. I have considered the facts and circumstances of the case and the arguments of the learned counsels for the parties.

6. The applicant has been named in the FIR. The deceased, who was shot dead, was the wife of the applicant, with whom he had an ongoing dispute. Proceedings under Section 125 Cr.P.C. were pending between the parties, in which the applicant was paying maintenance to the deceased. The statement of the minor daughter of the deceased indicates that, prior to the incident, the deceased had informed her that she was being followed by the co-accused Krishna and Jogender. The minor daughter is also stated to be an eye witness to the incident.

7. In view of the facts and circumstances, which appear from the investigation, the applicant is required for custodial interrogation. The statement of the co-accused prima facie points towards the complicity of the applicant in the crime. Being the husband of the deceased, the applicant also had a motive for the commission of the offence.

In view of the aforesaid, this Court does not find it a fit case for grant of anticipatory bail to the applicant.

8. The anticipatory bail application of the applicant- **Manoj Kumar** is, accordingly, **rejected**.

9. However, in case the applicant appears before the concerned Court and applies for bail, the same shall be considered independently on its own merits, without being influenced by the rejection of the present anticipatory bail application by this Court.

March 25, 2026
Kushal

(Rajiv Lochan Shukla,J.)