



2026:AHC:53812

HIGH COURT OF JUDICATURE AT ALLAHABAD

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

Jitendra Yadav Alias Jitendra

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite

Party(s)

Counsel for Applicant(s) : Anand Prakash Yadav, Krishna Yadav
Counsel for Opposite Party(s) : G.A.

Along with :

**1. Criminal Misc. Anticipatory Bail Application U/s 482 BNSS No.
981 of 2026:**
Viresh Yadav

Versus

State of U.P. and another

**2. Criminal Misc. Anticipatory Bail Application U/s 482 BNSS No.
909 of 2026:**
Devendra Yadav Alias Devendra

Versus

State of U.P. and another

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Learned counsel for the applicants; and learned A.G.A. for the State are present.

2. All the three anticipatory bail applications have been filed on behalf of the applicants in Case Crime No. 0592 of 2025, under Sections 109(1), 191(2), 191(3), 190, 115(2), 316(2), and 351(3) of Bharatiya Nyaya Sanhita, 2023, Police Station – Sasni Gate, District Aligarh, with a prayer to enlarge them on anticipatory bail, till the conclusion of the trial.

3. The learned counsel for the applicants submits that the applicants have been falsely implicated in the present case and seek anticipatory bail on the following grounds :-

- i. The applicants, in all the connected cases, are on interim anticipatory bail by orders of this Court.
- ii. The applicants are not stated to have misused the liberty of interim anticipatory bail.
- iii. Although the applicant, Viresh Yadav, has been assigned a specific role of assault, the injured, Shekhar Vashneya and Rahul Varshaney, have not received any grievous injuries, and their injuries have been found to be simple in nature.
- iv. The applicants have criminal histories of two cases, which have been duly explained.
- v. The applicants are not previous convicts.

4. Learned A.G.A. has opposed the prayer for grant of anticipatory bail contending that the applicants have been specifically nominated in the First Information Report (FIR). It is submitted that the applicant, Viresh Yadav, has been assigned the specific role of causing injury to the injured persons. It is further submitted that the applicants have criminal antecedents and are likely to repeat the offences alleged. Learned A.G.A. has also contended that the applicant, Devendra Yadav, claims to have sustained injuries in the incident, including a fracture. In view of this contention, the incident stands admitted and no indulgence may be granted to the applicants.

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

6. The applicants have been nominated in the FIR; however, a general role of assault has been given to them. The specification with respect to Virendra Yadav of assaulting the injured also does not indicate the receipt of any grievous injury due to the assault made by Virendra Yadav. The criminal antecedents of the applicants have been duly explained. They are not previous convicts.

7. Taking into account the aforesaid facts and circumstances of the case, as discussed above, as well as the claim of the applicant, Devendra

Yadav, of having sustained grievous injury in the incident, for which an application under Section 173(4) of the B.N.S.S. is stated to be pending consideration of the concerned Magistrate on an application moved by Savitri Devi, the aunt of the applicants, I deem it appropriate to enlarge the applicants on anticipatory bail.

8. The anticipatory bail applications of the applicants are **allowed**.

9. In the event of the arrest of the applicants- **Jitendra Yadav alias Jitendra, Viresh Yadav and Devendra Yadav**, involved in the aforesaid case crime, they shall be released on anticipatory bail on their 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 applicants shall make themselves available for interrogation by a police officer as and when required;
- ii. the applicants 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/her from disclosing such facts to the Court or to any police officer;
- iii. the applicants shall not leave India without the previous permission of the Court;
- iv. the applicants 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 17, 2026

Kushal