



2026:AHC:61401

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2144 of 2026**

Sampann Sharma And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Aqib Isteyaq, Saiyad Iqbal Ahmed
Counsel for Opposite Party(s) : G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Mr. Saiyad Iqbal Ahmed, learned counsel for the applicants, Mr. Uma Shanker Mishra, learned A.G.A. for the State and perused the record.

2. The present application has been moved seeking anticipatory bail in Case Crime No. 1518 of 2004, under Sections 420, 467, 468, 471, 120-B of I.P.C., Police Station Civil Lines, District Moradabad, with the prayer that in the event of arrest, applicant may be released on bail.

3. It has been argued by the learned counsel for the applicants that applicants are innocent and he has been falsely implicated in this case. It is further submitted that the proceedings of the case were stayed in favour of the applicant by Division Bench of this Court and after submission of charge sheet proceedings were again stayed by co-ordinate bench of this Court and the same stood dismissed for want of prosecution. The applicant were having no knowledge about the dismissal order and in the year 2022, proceedings of the case were again started by the learned trial court and applicants were summoned. It is further submitted that now NBWs have been issued on 18.04.2021. The incident is of year 2000 and the FIR was lodged in the year 2004. It was also submitted that applicants undertake to co-operate during trial and they would appear as and when required by the investigating agency or Court. It has been stated that in case, applicants are granted anticipatory bail, they shall not misuse the liberty of bail and will co-operate with the investigation and would obey

all conditions of bail.

4. On the other hand, learned A.G.A. has opposed the application for anticipatory bail and submitted that the applicants are not co-operating in the trial.

5. The incident is said to have been taken place in the year 2000, however, the first information report has been lodged in the year 2004. Interim protection was granted by Division Bench of this court and after submission of charge sheet proceedings were stayed by co-ordinate Bench of this Court under Section 482 Cr.P.C., however the same was dismissed for want of prosecution. Now in the year 2025 NBWs have been issued against the applicants.

6. It may be stated that in case of **Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694**, it has been held by Hon'ble Supreme Court that while deciding anticipatory bail, Court must consider nature and gravity of accusation, antecedent of accused, possibility of accused to flee from justice and that Court must evaluate entire available material against the accused carefully and that the exact role of the accused has also to be taken into consideration.

7. In the instant case, considering the settled principle of law regarding anticipatory bail, submissions of the learned counsel for the parties, role of applicants and all attending facts and circumstances of the case, without expressing any opinion on merits, a case for anticipatory bail is made out.

8. The anticipatory bail application is **allowed**.

9. In the event of arrest of the applicants- **Sampann Sharma** and **Mohd. Yaqub** involved in the aforesaid case crime shall be released on anticipatory bail on furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned, with the following conditions :-

(i) The applicants shall not tamper with evidence and that they would appear before the trial Court on the date fixed unless exempted by the

Court concerned;

(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/them from disclosing such facts to the Court or to any police officer;

(iii) The applicants would co-operate during trial and would not misuse the liberty of bail.

(iv) The applicants shall not leave India without prior permission of the Court concerned.

10. In default of any of the conditions, the prosecution shall be at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicants.

(Jitendra Kumar Sinha,J.)

March 20, 2026
Virendra