



2026:AHC:55297

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S
482 BNSS No. - 2014 of 2026**

Vishal Yadav

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Archana Srivastava, Arvind
Kumar Srivastava, Virendra
Singh

Counsel for Opposite Party(s) : G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicant, the Learned A.G.A. for the State and perused the material brought on the record.

2. Supplementary affidavit filed by the Learned counsel for the applicant in Court today, is taken on the record.

3. The present application has been filed by the applicant with a prayer to release him on anticipatory bail in Case Crime No.80 of 2025, under Sections 103(1), 61(2), 238 of B.N.S., Police Station- Alinagar, District- Chandauli.

4. The Learned counsel for the applicant has submitted that the applicant has been falsely implicated in the present case. The applicant seeks anticipatory bail on the following grounds:-

(i) The applicant was not named in the First Information Report and the First Information Report has been lodged against Ravi Yadav @ Digvijay Yadav, Umesh Yadav @ Chhotu and Deepak Yadav on the basis of eye witness account of the informant and one of the accused Umesh Yadav, who was assaulting the deceased, was arrested on the spot.

(ii) It is during this investigation after almost three months of the incident, the statement of the wife of the deceased was recorded by the police, who in her statement has stated that deceased had told her that Ravi Yadav, Umesh Yadav @ Chhotu and Vishal Yadav (the applicant) had had a fight with the deceased due to some monetary transaction. He further allegedly stated that the applicant and the co-accused were looking to kill the deceased.

(iii) It is only thereafter, the police comes forth with a cooked up eye witness Jhulai Yadav, who then brings the applicant, co-accused Umesh Yadav and co-accused Ravi Yadav to the scene of the crime and has given the role of the applicant and the other accused of assaulting the deceased with bricks. The statement of Jhulai Yadav came to be recorded on 12.6.2025.

(iv) The police during investigation had filed a charge-sheet against the co-accused Umesh Yadav and Ravi Yadav and during the trial for the co-accused Umesh Yadav and Ravi Yadav, the informant P.W.-I has been declared hostile to the prosecution.

(v) The applicant has no criminal antecedents.

5. The Learned A.G.A. has opposed the prayer for grant of anticipatory bail and has stated that the applicant's name has surfaced during investigation. There is an eye witness account, which indicates that the applicant was actively involved in the murder of the deceased. The call detail records of the applicant have also shown him in the vicinity of the crime, when the incident occurred. The Learned A.G.A., however, has not been able to dispute the fact that the applicant is having no criminal history.

6. I have considered the submissions made by the Learned counsels for the parties and perused the material brought on the record.

7. The applicant is not named in the First Information Report. The First Information Report has been lodged purportedly on the basis of an eye witness account given by the informant. The co-accused Ravi Yadav has been granted bail by this Court vide its order dated 10.02.2026 passed in **Criminal Misc. Bail Application No.27228 of 2025 (Ravi Yadav Alias Digvijay Yadav Vs. State of U.P.)**. One accused named in the First Information Report was caught on the spot by the villagers, which supports the eye witness account of the First Information Report. The eye witness account of Jhulai is highly delayed. In his confessional statement also the accused Umesh Yadav @ Chhotu has not named the applicant. The informant has turned hostile during trial. The applicant is stated to have no criminal antecedents.

8. Taking into account all the facts and circumstances of the case as discussed above and also the fact that the informant has turned hostile in the trial for the co-accused, I deem it fit to enlarge the applicant on anticipatory bail.

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- Vishal Yadav**, 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.

March 18, 2026

Sachin

(Rajiv Lochan Shukla,J.)