



2026:AHC:63765

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.  
- 2055 of 2026**

Gulbahar

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Varun Kirti, Indu Tewari, Ravi Kant Shukla

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

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**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. 1121 of 2025, under Sections 318(4), 319(2), 336(3), 340(2), 111, 338, 61(2) of the B.N.S., 2023, Police Station – Deoband, District Saharanpur, 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 charged as per the First Information Report (FIR) of standing surety for two accused by filing the same Khatauni.

ii. Even if the averments made in the FIR as against the applicant are taken to be true, no offence is made out.

iii. The FIR has been lodged against 60 accused persons and the applicant's name figures at serial No.8 in the list of accused.

iv. The applicant has stood surety in Case Crime No.218 of 2025, P.S. Deoband, District Saharanpur for accused Rajan son of Jai Bhagwan, and Case Crime No.178 of 2025, P.S. Deoband, District Saharanpur for

accused Sajid son of Rashid.

v. The applicant used to work in the Dairy of the accused, Rajan, in the above mentioned case and had stood surety for him and that the accused Sajid is the brother of the applicant's sister-in-law's husband (*Saadhu*).

vi. The applicant had filed his Khasra and Khatauni to stand surety to the amount of Rs.25,000/- each and the value of the land put up as surety far exceeds the bail bond amount.

4. Learned A.G.A. has opposed the prayer for grant of anticipatory bail and has contended that the applicant has a criminal history of two cases being Case Crime No.2 of 2019, under Sections 323, 325, 504 and 506 IPC, Police Station Gagalheri, District Saharanpur, and Case Crime No.110 of 2020, under Sections 188, 269, 270 IPC and Section 3/4 of the Pandemic Act.

5. Rejoining the issue, the learned counsel for the applicant states that the applicant is on bail in Case Crime No.2 of 2019. For the another case, learned counsel for the applicant contends that the same was imposed during the Covid-19 Pandemic, which has now been withdrawn by the Government.

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

6. The applicant is said to have stood surety for two accused by filing the same Khasra and Khatauni and has concealed the fact from the Court. The applicant is said to be a poor man who works at a Dairy. He contends that the land, which have been put up for sureties in both the cases is valuable enough to cover the sureties of both the cases.

7. In the opinion of the Court, the investigation of the case does not require custodial interrogation of the applicant. The criminal history of the applicant has been duly explained. The applicant is said to be a poor labourer.

8. In view of all these facts and circumstances, taking into account the financial condition of the applicant, and the fact that he may not be

required for any custodial interrogation, I deem it appropriate to enlarge the applicant on anticipatory bail.

**9.** The anticipatory bail application of the applicant is **allowed**.

**10.** In the event of the arrest of the applicant- **Gulbahar**, involved in the aforesaid case crime, he shall be released on anticipatory bail on his 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. 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. The applicant shall not leave India without the previous permission of the Court;
- iv. 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**  
Kushal