



2026:AHC:56280

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2110 of 2026**

Smt Harvansh Kaur

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sanjay Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Sanjay Singh, learned counsel for the applicant, Shri B.P. Maurya, 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.898 of 2009, under Sections 147, 148, 149, 307, 353, 332, 427, 224, 225, 186, 189 of I.P.C. and Section 7 of Criminal Law Amendment Act and Section 60(2) of Excise Act, Police Station Bilaspur, District Rampur, 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 applicant that applicant is innocent and she has been falsely implicated in this case. It is further submitted that charge sheet in this case has already been submitted and the applicant was having no knowledge of the proceedings of the case and the applicant was aged about 17 years at the time of the alleged incident and thereafter, she got married and she shifted to Uttarakhand. It is further submitted that the applicant has never been served any summon or bailable warrant or non bailable warrant and now the process of proclamation has been issued against her and the applicant is ready and willing to cooperate in the trial. It is also submitted that the applicant is having no criminal history. It was also submitted that applicant undertakes to co-operate during trial and she would appear as and when required by the investigating agency or Court. It has been stated that in case, applicant is granted anticipatory bail, she 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.

5. As per first information report, some quantity of illicit liquor was recovered and when the police intervened, the police personnel assaulted by the applicant and other co-accused persons, however, none of the injuries of the police personnel has been found to be grievous in nature or dangerous to life. Charge sheet in this case has already been submitted and the applicant has never been served any summon or bailable warrant or non bailable warrant and now the process of proclamation has been issued against her and the applicant is ready and willing to cooperate in the trial and the applicant is having no criminal history.

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 applicant 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 applicant- **Smt Harvansh Kaur** involved in the aforesaid case crime shall be released on anticipatory bail on her 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 applicant shall not tamper with evidence and that she would

appear before the trial Court on the date fixed unless exempted by the Court concerned;

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

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

(iv) The applicant 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 applicant.

(Jitendra Kumar Sinha,J.)

March 19, 2026

RKM