



2026:AHC:66807

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S
482 BNSS No. - 2360 of 2026

Salman Khan

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

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

Court No. - 71

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for the applicant, Sri Anoop Trivedi, learned Additional Advocate General, assisted by Sri Sameer Shukhla, learned A.G.A.-1 for the State and perused the record.
2. The present anticipatory bail application has been moved by the applicant **Salman Khan** seeking anticipatory bail in Case Crime No.248 of 2025, under Sections 318(4), 338, 336(3), 340(2) of B.N.S. and Section 8-C, 21C, 26D, NDPS Act, Police Station Ganj, District Rampur, with the prayer that in the event of arrest, applicant may be released on bail.
3. Learned counsel for the applicant has contended that the allegation against the applicant is that the applicant had purchased 2000 phials of codin cough syrup, which has been sold in the open market to achieve undue financial gain. Learned counsel for the applicant has contended that the applicant is running a medical agency in the name and style of M/s Fair Deal Agency. He further submits that the applicant has a valid licence to run the medical agency. The allegations levelled against the applicant is not supported by any cogent and credible evidence. Learned counsel further argued that at the most, offence under Drugs and Cosmetics Act is made out against the applicant. He also submits that the ingredients of

NDPS Act is not made out against the applicant. He further submits that the applicant is innocent and he has an apprehension that he may be arrested in the above-mentioned case, whereas there is no credible evidence against him. Learned counsel has further argued that no coercive process has been issued against the applicants so far. He next contends that the applicant undertakes to co-operate during trial and would appear as and when required by the investigating agency or Court. Learned counsel has lastly contended that in case, the applicant is granted anticipatory bail, he shall not misuse the liberty of bail and will co-operate with the investigation and would abide with all conditions of bail.

4. On the other hand, Sri Anoop Trivedi, learned Additional Advocate General, assisted by Sri Sameer Shukla, learned A.G.A.-1 has opposed the application for anticipatory bail and argued that the applicant is a stockist, who had purchased the syrup in bulk quantity and sold out to the individuals. He further submits that since the applicant is a stockists/agency holder and is authorise to sell the medicines to the retailers, who have valid licence and that the retailer may sell the medicines/syrup to the individuals on the medical prescription generated/issued by a registered medical practitioner but in the instant case, the applicant has sold the syrup to an individual, which is in violation of Schedule H-1 of the Drugs and Cosmetics Act.

5. Hon'ble Apex Court in the case of **Siddharam Satlingappa Mhetre v. State of Maharashtra**, (2011) 1 SCC 694, has held 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.

6. In the instant case, considering the settled principle of law regarding anticipatory bail, submissions of the learned counsel

for the parties, nature of accusation, role of applicant and all attending facts and circumstances of the case, without expressing any opinion on merit of the case, no case for anticipatory bail is made out.

7. The anticipatory bail application is rejected.

(Dr. Gautam Chowdhary,J.)

March 26, 2026

S.Ali