



2026:AHC:23559

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 1034 of 2026

Usman

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Mridul Chandra Tiwari, Vatsala
Upadhyay
Counsel for Opposite Party(s) : G.A.

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for the applicant, Bhagwati Prasad, learned A.G.A. for the State and perused the record.
2. The present application has been moved on behalf of the applicant, Uman, seeking anticipatory bail in Case Crime No. 29 of 2024, under Sections 452, 323, 504, 506, 304 I.P.C., Police Station Dilari District Moradabad, with the prayer that in the event of arrest, applicant may be released on bail.
3. Learned counsel for the applicant submits the allegations levelled against the applicant are false. He further submits that after registration of the F.I.R., the applicant had filed anticipatory bail before this Court and this Court after considering the factual and legal aspect of the matter had granted anticipatory bail till submission of police report. He next submits that the Investigating Officer without collecting credible evidence against the applicant has submitted charge sheet against the applicant in spite of the fact that the complicity of applicant in commission of alleged offence is not made out. Learned counsel next argued that the applicant is a young boy of 24 years and in case, the anticipatory bail is not granted, the applicant would suffer irreparable loss. It has also been submitted that applicant undertakes to co-operate during the trial and he would appear as and when required by the investigating agency or Court. It has been stated 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

obey all conditions of bail.

4. Learned A.G.A. has opposed the application for anticipatory bail. Learned A.G.A. further argued that credible evidence has been collected during the investigation, which has culminated in submission of charge sheet.

5. Perusal of the record shows that specific allegations have been levelled against the applicant in commission of offence. The investigating officer, during the course of investigation found the complicity of the applicant in commission of offence is supported by oral as well as documentary evidence and after collecting credible evidence against the applicant submitted charge sheet. Furthermore, in the 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.

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.)

February 3, 2026

S.Ali