



2026:AHC:68268

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 1901 of 2026**

Pankaj Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Kapil Yadav, Swati Agrawal Srivastava
Counsel for Opposite Party(s) : G.A.

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Supplementary affidavit filed today is taken on record.
2. Heard Ms. Swati Agrawal, Learned counsel for the applicant, the Learned A.G.A. for the State and perused the record.
3. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.595 of 2025, under Sections 87, 64(1) BNS, Police Station- Ghosi, District Mau, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case.
4. Learned counsel for the applicant contends that the applicant has been falsely implicated. The First Information Report and the statement under Sections 180 and 183 BNSS, if read together indicate that the victim who is major aged above 18 years was a consenting party.
5. Learned counsel further contends that as per the statement recorded under Sections 180 and 183 BNSS indicates that the applicant had called up the class teacher while the victim was attending the classes portraying himself to be the cousin of the victim and she had come out of the class and then travelled on a motorcycle with the applicant from her college to the house of the applicant's friend, where she was supposedly detained for two days without raising any alarm, where she was neither threatened nor restrained in any manner, clearly indicates the falsity of the prosecution

version.

6. Learned counsel further submits that the victim was not recovered from his possession and is said to have escaped when the applicant was not at his friend's home. The medical examination does not indicate any mark of external injury.

7. Learned AGA has opposed the prayer for bail and had contended that applicant is the primary accused in the present case. He has abducted and raped the victim, who was only able to escape through good fortune. The applicant has a criminal history of five cases and he appears to be a repeated offender, who may not be considered for grant of anticipatory bail by this Court.

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

9. The First Information Report has been lodged after one day of the occurrence. The victim as per her statement recorded under Sections 180 and 183 BNSS went with the applicant without raising any alarm and there is no averment that the applicant either threatened her or coerced her to travel with him. The victim was also not recovered from the possession of the applicant and is said to have made her good escape when the applicant was not present. The father of the applicant is said to have lodged a First Information Report being Case Crime No.275 of 2022 against the informant and other accused persons.

10. Prima facie, in the opinion of this Court, the applicant might have been falsely implicated in the present case. The uncle of the applicant had also lodged a First Information Report against the brother of the informant as well as other family members of the accused, which was registered as Case Crime No.564 of 2022.

11. The criminal history of the applicant has been satisfactorily explained. Although, the applicant has criminal history, however, the same may not disentitle him for grant of anticipatory bail when the matter at hand appears to be a case of false implication.

12. In view of the above, the anticipatory bail application of the applicant is allowed.

13. In the event of the arrest of the applicant, **Pankaj 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;

14. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

15. 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 30, 2026

S.A.