



2026:AHC:66510

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION
U/S 482 BNSS No. - 2465 of 2026

Saurabh Sharma

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ved Prakash Pandey, Vinay
Krishna Pandey

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

Court No. - 73

HON'BLE VIKRAM D. CHAUHAN, J.

1. The present Anticipatory Bail Application has been filed with the prayer to grant anticipatory bail to the applicant - Saurabh Sharma in Case Crime No.328 of 2024, under Sections 147, 148, 452, 354-Kha, 307, 504, 506, 427 I.P.C., Police Station Kanth, District -Shahjahanpur.

2. Heard learned counsel for the applicant as well as learned AGA and perused the material available on record.

3. It is submitted by learned counsel for the applicant that earlier the co-accused Arvind Kumar Sharma was granted anticipatory bail by order dated 12.9.2024. Thereafter, the applicant was also granted anticipatory bail by order dated 13.11.2024 under Sections 147, 148, 452, 354-A, 307, 504, 506, 427 I.P.C.. Thereafter, charge sheet has been submitted and the applicant is being prosecuted 354-Kha in place of Section 354A of I.P.C. No new material has been advanced against the applicant. The allegations are general and vague in nature and no specific allegation has been made against the applicant in so far as Section 354-Kha is concerned. The co-accused Bagesh Sharma has also granted anticipatory bail by order dated 4.2.2026. It is further submitted by learned counsel for applicant that applicant is

innocent and has no concern with the present matter. Allegations levelled against the applicant are false. No prima facie case is made out against the applicant. If the applicant is enlarged on anticipatory bail, he/she will not misuse the liberty and cooperate with the investigation. The applicant has apprehension of his/her arrest by the police any time.

4. Learned A.G.A. opposed the prayer but does not dispute the factual matrix.

5. It is not shown by learned AGA that the offence in question will have impact on society at large. It is not shown that act causes harm to the society. The accusations arise out of dispute between individuals. It is not shown by learned AGA that the nature and gravity of allegations are such that the same would disentitle the applicant for relief of anticipatory bail. Learned AGA has not raised concern that any prejudice would be caused to free, fair and full investigation in the event the applicant is granted anticipatory bail. No material, facts, circumstances or concern been shown by learned AGA for the State that the accused may tamper with the evidence or witnesses or accused is of such character that his mere presence at large would intimidate the witnesses or that accused will use his liberty to subvert justice or tamper with the evidence.

6. Learned Counsel for opposite parties has not placed any criminal antecedents of the applicant. The applicant has no criminal history.

7. It is settled principle of law that the object of bail is to secure the attendance of the accused. No material particulars or circumstances suggestive of the applicant fleeing from justice or thwarting the course of justice or creating other troubles in the shape of repeating offences or intimidating witnesses and the like have been shown by learned AGA for the State.

7A. It is settled principle of law that a person who is accused of committing criminal offence is required to be prosecuted in respect of the act committed by him. Over-implication of an accused refers to situations where an individual is unduly or excessively

implicated in a crime or wrongdoing. Such over implication may be based on external influence or false accusations. It is crucial for the justice delivery system to balance the need to hold perpetrators accountable with protecting the rights of the accused. It is important that the rule of law prevail and the prosecution of an accused is based on objective assessment of the material and circumstances based on specific allegations.

8. In view of the above, the applicant is granted anticipatory bail in respect of offence described in para 1 of the present order. In the event of arrest of the applicant, he shall be released on anticipatory bail on his/her furnishing a personal bond of Rs.25,000/- with two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall make himself available for interrogation by a police office 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 office.

(iii) The applicant shall not leave India without the previous permission of the Court concerned.

(iv) In the event, the applicant changes residential address, the applicant shall inform the court concerned/Investigating Officer about new residential address in writing.

(v) The applicant shall cooperate with the investigation and make himself/herself available for interrogation whenever required.

(vi) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police.

(vii) The applicant shall maintain law and order.

(viii) The applicant shall at the time of execution of the bond, furnish his address and mobile number to investigating officer,

and the court concerned.

(ix) The applicant shall regularly remain present during the trial, and cooperate with the Court to complete the trial for the above offences.

(x) Non presence of the applicant or his counsel before the court concerned shall be construed as violation of the present order and the court concerned would be at liberty to take coercive measures in accordance with law.

9. In case of default of any of the conditions, the Investigating Officer shall be at liberty to file appropriate application for cancellation of protection granted to the applicant.

10. With the directions made above, the anticipatory bail application stands allowed.

March 30, 2026
Bhaskar

(Vikram D. Chauhan,J.)