



2026:AHC:66845

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 2478 of 2026**

Ashwanee

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Rahul Kumar Yadav, Shiv Ram Dubey
Counsel for Opposite Party(s) : G.A.

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicant, the Learned A.G.A. for the State and perused the material brought on the record.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.602 of 2025, under Sections 191(2), 191(3), 109, 351(3) B.N.S., Police Station- Dhanghata, District- Sant Kabir Nagar, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case.

3. This Court on 16.03.2026 granted interim anticipatory bail to the applicant in the absence of the instructions received by the Learned A.G.A.

4. Today, when the case has been called on, the Learned A.G.A. states that he has received the instructions in the matter.

5. The Learned counsel for the applicant submits that the charge against the applicant is of firing upon the first informant along with other accused. The accused Akshay Singh, has been assigned the specific role of assaulting and using the butt of a pistol and causing injuries on the first informant. There is no firearm injuries received by any one. The applicant has no criminal history. He further submits similarly situated co-accused Dhrup Singh and Rohit Singh have been granted anticipatory bail by this Court vide its order dated 16.03.2026 passed in **CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 1801 of 2026 (*Dhrup Singh and Another Vs. State of U.P.*)**. He contends that case of the applicant on a similar footing to that of the co-accused, who have already been enlarged on

anticipatory bail by this Court.

6. The Learned A.G.A., on the other hand, has opposed the prayer for grant of anticipatory bail. He, however, could not dispute the fact that the similarly situated co-accused have already been granted anticipatory bail by this Court.

7. I have considered the submissions made by the Learned counsels for the parties and perused the material brought on the record.

8. The applicant though assigned the role of firing upon the informant, however, there is no firearm injuries to support the said allegation. Specific role of assaulting the injured with butt of pistol has been given to one Akshay Singh. Similarly situated co-accused have already been granted anticipatory bail by this Court.

9. Taking into account all the facts and circumstances of the case, especially the fact that the similarly situated co-accused have already been granted anticipatory bail by this Court, I deem it fit to enlarge the applicant on anticipatory bail.

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

11. In the event of the arrest of the **applicant- Ashwanee**, 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;

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

13. 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.

March 30, 2026
Sachin

(Rajiv Lochan Shukla,J.)