



2026:AHC:65509

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2765 of 2026**

Anuj Chauhan

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Arjun Singh Solanki, Ketan Pratap Singh

Counsel for Opposite Party(s) : G.A., Sunil Kumar Yadav

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Sri Arjun Singh Solanki, Learned counsel for the applicant, Sri Sunil Kumar Yadav, Learned counsel for the opposite party No.2, Sri Surendra Singh, Learned A.G.A. for the State and perused the record.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.211 of 2025, under Sections 109, 125, 115(2), 352, 351(2) of B.N.S.-2023, Police Station- Nidholi Kalan, District- Etah, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case.

3. The Learned counsel for the applicant has submitted that the applicant has been falsely implicated in the present case. He contends that although the applicant has been assigned the role of causing gunshot injuries to the injured, however, the injuries attributed to the applicant appears to be a fake injury. He next contends that there was no intention to kill as the gunshot injuries described in the injury report was from the close range and even then, the same has been inflicted on a vital part when the injured was supposedly restrained by the two other accused. The applicant had a criminal history of one other case, which was also lodged at the behest of the informant, which has been quashed by the High Court.

4. The Learned counsel for the opposite party No.2, on the other hand, opposed the prayer for grant of anticipatory bail and has submitted that

the applicant has been given specific role of causing gunshot injuries to the injured. The medical evidence corroborates the F.I.R. version. The applicant had also filed a writ petition being **Criminal Misc. Writ Petition No.2450 of 2026** for quashing of the First Information Report, in which no interim order has been granted to the applicant and the same is still pending consideration of this Court. In view of the submission made, the Learned counsel for the opposite party No.2 claims that this application seeking anticipatory bail is not maintainable and the same may be dismissed.

5. The Learned A.G.A. has also supported the contentions raised by the Learned counsel for the opposite party No.2.

6. I have considered the submissions made by the Learned counsels for the parties.

7. The applicant is named in the First Information Report along with his brothers. The co-accused have been assigned the role of catching hold and the applicant has been assigned the role of causing gunshot injury with a country made pistol. The injuries have been found on thigh. In the X-ray report, the findings recorded by the Radiologist show that there was no bony injury and multiple tiny radio opaque shadows were seen, which were suggestive of gun powder. During investigation, statement of some independent witnesses namely, Vasir Khan s/o Nanhu Khan and Sahabauddin s/o Rafeeq, have been recorded, who have claimed that the informant side had made fake injuries to lodge this case against the applicant and the other accused. The injured is the cousin of the applicant and there appears to be a property dispute between the parties and a civil suit is also pending consideration of the concerned Court being Original Suit No.889 of 2023 (*Sri Chandrapal Singh Vs. Smt. Vinesh Kumari*), in which, the aunt of the applicant and the informant, Vinesh Kumari is the defendant in the civil suit instituted by the father of the applicant.

8. Taking into account the nature of injuries, the pendency of the civil suit and the statement of the independent witnesses, in the opinion of this Court, the applicant deserves to be enlarged on anticipatory bail.

9. So far as the objection of the Learned counsel for the informant with

respect to the pendency of the writ petition is concerned, a supplementary affidavit has been filed by the Learned counsel for the applicant today in Court, which indicates that a withdrawal application has been filed in the said writ petition and the same would be not pressed.

10. In view of the above, this application stands allowed.

11. In the event of the arrest of the ***applicant- Anuj Chauhan***, 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.

(Rajiv Lochan Shukla,J.)

March 30, 2026
Sachin