



2026:AHC:65719

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2781 of 2026

Shubham Kumar Urf Shubham Tanwar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Kuldeep Singh Chahar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicant, Learned A.G.A. for the State as well as perused the record.
2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.70 of 2026, under Sections 123, 308(7), 351(3) of B.N.S., Police Station- Chandpur, District- Bijnor, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case. .
3. Learned counsel for the applicant submits that applicant has been falsely implicated in the present case. The applicant has not been named in the First Information Report. His name supposedly figures in the confessional statement of the co-accused, who was found to be a minor. The co-accused is said to have administered some intoxicating substance to the informant and then made some objectionable videos, which were supposedly being used to extort money from the informant. Learned counsel for the applicant contends that except the statement of the co-accused, there is no other material to link the applicant with the said crime. He further contends that co-accused was not arrested by the police and in such circumstances, the applicant's custodial arrest and investigation may also not be required. The applicant has no criminal antecedents.
4. The Learned A.G.A., on the other hand, has opposed the prayer for grant of anticipatory bail and has submitted that co-accused was not arrested due to the fact that she was a minor. The involvement of the

applicant from the statement of the co-accused, has surfaced and the applicant is required for custodial interrogation. The Learned A.G.A., however, could not dispute the fact that the applicant has no criminal antecedents.

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

6. The First Information Report has been lodged with a delay of seven days. The transfer of money that is said to have been made, cannot be traced electronically, as the same was supposedly given in cash. The audio recordings that have been collected during investigation, which have been supplied by the informant in a pen drive to the police, also do not indicate the involvement of the applicant. The videos supposedly saved in the mobile phone of the co-accused was deleted and the applicant is supposedly in possession of a copy of the said video. This material has only come in the confessional statement of the co-accused. Grant of anticipatory bail does not mean a blanket protection from arrest. The bonds and sureties, which are filed before the concerned Court/police, in the event of arrest, ensure that the applicant would cooperate in the investigation.

7. In such circumstances, taking into account all the above-mentioned facts and circumstances, especially the fact that the material against the applicant consists solely of the statement of the co-accused, I deem it fit to enlarge the applicant on anticipatory bail.

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

9. In the event of the arrest of the **applicant- Shubham Kumar Urf Shubham Tanwar**, 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;

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

11. 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

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