



2026:AHC:57433

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2384 of 2026**

Mohd Farman @ Farman Pradhan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Dharmendra Pratap Singh, Krishna
Deep Singh

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

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Dharmendra Pratap Singh along with Shri Krishna Deep Singh, learned counsel for the applicant, Shri B.P. Singh, learned A.G.A. for the State and perused the record.

2. The present application has been moved seeking anticipatory bail in Case Crime no.442 of 2025, under Sections 8/20 of N.D.P.S. Act, Police Station Hapur Dehat, District Hapur, with the prayer that in the event of arrest, applicant may be released on bail.

3. It has been argued by the learned counsel for the applicant that applicant is innocent and he has been falsely implicated in this case. It is further submitted that nothing incriminating has been recovered from the physical / conscious possession of the applicant and the name of the applicant has surfaced in the confessional statement of four arrested co-accused persons, namely, Amzad, Khushnood, Rahul and Anuj and from their possession, 224.240 Kg of contraband ganja is said to have been recovered. It is further submitted that the above arrested co-accused persons have stated before the Investigating Officer that they have purchased the same from one co-accused Shah Alam. It is also submitted that the applicant is having no criminal history. It was also submitted that applicant undertakes to co-operate during trial and he would appear as and when required by the investigating agency or Court. It has been stated that in case, applicant is granted anticipatory bail, he shall not misuse the liberty of bail and will co-operate with the

investigation and would obey all conditions of bail.

4. On the other hand, learned AGA has opposed the application for anticipatory bail and it has been submitted by him that the huge and commercial quantity of contraband ganja has been recovered from the possession of the co-accused and the name of the applicant has surfaced in their confessional statement.

5. Nothing incriminating has been recovered from the physical / conscious possession of the applicant and the name of the applicant has surfaced in the confessional statement of four arrested co-accused persons, namely, Amzad, Khushnood, Rahul and Anuj and from their possession, 224.240 Kg of contraband ganja is said to have been recovered. The above arrested co-accused persons have stated before the Investigating Officer that they have purchased the same from one co-accused Shah Alam. It is also submitted that the applicant is having no criminal history.

6. It may be stated that in case of **Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694**, it has been held by Hon'ble Supreme Court that while deciding anticipatory bail, Court must consider nature and gravity of accusation, antecedent of accused, possibility of accused to flee from justice and that Court must evaluate entire available material against the accused carefully and that the exact role of the accused has also to be taken into consideration.

7. Considering the facts and circumstances of the case and all attending facts and circumstances of the case and taking note of law laid down in the case of **Tofan Singh vs The State Of Tamil Nadu** and the provisions of Section 37 of N.D.P.S. Act and without expressing any opinion on merits, a case for interim anticipatory bail is made out.

8. In the event of arrest of the applicant- **Mohd Farman @ Farman Pradhan** involved in the aforesaid case crime shall be released on anticipatory bail on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned, with the following conditions :-

(i) The applicant shall not tamper with evidence and that he would appear

before the trial Court on the date fixed unless exempted by the Court concerned;

(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/her/them from disclosing such facts to the Court or to any police officer;

(iii) The applicant would co-operate during trial and would not misuse the liberty of bail.

(iv) The applicant shall not leave India without prior permission of the Court concerned.

10. In default of any of the conditions, the prosecution shall be at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant.

(Jitendra Kumar Sinha,J.)

March 19, 2026

RKM