



2026:AHC:65018

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S
482 BNSS No. - 2425 of 2026

Manoj Tiwari

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ambuj Shukla, Gaurav
Kumar Singh, Harsh Tiwari
Counsel for Opposite Party(s) : G.A.

Court No. - 67

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard learned counsel for the applicant, Sri Rakesh Kumar Mishra, learned AGA and perused the record.
2. The present bail application has been moved on behalf of accused-applicant, seeking enlargement on anticipatory bail in Case Crime No. 0241 of 2025, under Sections 319(2), 318(4), 338, 336(3), 340(2), 316(2), 352 and 351(3) BNS, Police Station Dokati, District Ballia.
3. Contention of the counsel for the applicant is that the co-accused Anand Prakash Tiwari and Rama Tiwari have been assigned the specific role of receiving the alleged money for providing a job as an Assistant Teacher as per report of the Circle Officer, Bariya. It is further submitted that the applicant has been assigned the role of extending the help to the co-accused in the alleged offence. It is also submitted that the applicant is having no criminal history. It was also submitted that applicant undertakes to co-operate with the investigation and he would appear as and when required by the investigating agency or Court. It is further submitted that co-accused Ajay Tiwari has already been released on bail by a Co-ordinate Bench of this

Court in Criminal Misc. Anticipatory Bail Application No. 10625 of 2025 vide order dated 18.12.2025. Therefore, the applicant is also entitled to be released on bail on the ground of parity. It has been stated that in case the 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 A.G.A. has opposed the application for anticipatory bail.

5. Thus, without expressing any opinion on the merits of the case and considering the nature of accusations, gravity of offence and antecedents of applicants, this Court is of the view that the applicant is entitled to be enlarged on anticipatory bail till submission of charge sheet under Section 193 BNSS as per the Constitution Bench judgment of the Apex Court in the case of **Sushila Aggarwal vs. State (NCT of Delhi)- 2020 SCC Online SC 98**. Accordingly, the application is **allowed**.

6. In the event of arrest, the applicant- **Manoj Tiwari** involved in the aforesaid crime be released on anticipatory bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the investigating officer concerned with the following conditions:-

(i) The applicant shall make himself available for interrogation by a police officer 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 officer;

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

(iv) The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, during the investigation.

(v) The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

7. In case of breach of any of the above conditions, it shall be a ground for cancellation of anticipatory bail and the Sessions Court (concerned Court) may direct for arrest of the applicant and commit him to custody in view of Section 483(3) of BNSS.

March 28, 2026

CS/-

(Arun Kumar Singh Deshwal,J.)