



2026:AHC:59810

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S
482 BNSS No. - 2453 of 2026**

Gaurav Kumar Sharma

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Mandeep Singh, Sani Kumar
Counsel for Opposite Party(s) : G.A.

Court No. - 71

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for the applicant, 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. 262 of 2024, under Sections 318(4), 316(2) of B.N.S. Police Station Palimukimpur, District Aligarh, with the prayer that in the event of arrest, applicant may be released on bail.
3. Learned counsel for the applicant has contended that applicant is innocent and he has an apprehension that he may be arrested in the above-mentioned case, inspite of the fact that there is no credible evidence against him, yet the investigation officer submitted the charge in per-functionary manner without any cogent evidence against him. It has further been 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, 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. Learned A.G.A. has opposed the application for anticipatory bail.

5. 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.

6. In the instant case, considering the settled principle of law regarding anticipatory bail, submissions of the learned counsel for the parties, nature of accusation, role of applicant and all attending facts and circumstances of the case, without expressing any opinion on merit of the case, a case for anticipatory bail is made out.

7. The anticipatory bail application is **allowed**.

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

- i) The applicant shall not tamper with the prosecution evidence.
- ii) The applicant shall not threaten or harass the prosecution witnesses.
- iii) The applicant shall appear before the trial Court on each and every dates fixed.
- iv) The applicant shall not commit an offence similar to the offence of which the applicant is accused, or suspected of the commission.
- v) 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 such person from disclosing facts to the Court or to any police officer or tamper with the evidence.

9. In case of breach of any of the above condition, the trial Court shall be at liberty to cancel the bail of the applicant in accordance with law.

(Dr. Gautam Chowdhary,J.)

March 23, 2026

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