



2026:AHC-LKO:20090

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 352 of 2025**

Govind Gupta @ Govind

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko. And
Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Anupam Bajpai
Counsel for Opposite Party(s)	:	G.A.

Court No. - 23

HON'BLE RAJEEV BHARTI, J.

Heard learned counsel for the applicant and learned A.G.A. for the State.

The Co-ordinate Bench of this Court vide order dated 22.4.2025 has passed the following order granting interim anticipatory bail to the applicant:-

" 1. Heard learned counsel for applicant and learned A.G.A. for opposite party no.1-State. Issue notice to opposite party no.2.

2. First anticipatory bail application has been filed with regard to case crime No.108 of 2025, under Sections 316(2), 318(4), 131, 352, 351(3) B.N.S., P.S. Ramsanehighat, District Barabanki.

3. As per contents of first information report, applicant alongwith co-accused wife is said to have deceived the applicant into depositing a huge substantial sum of money introducing himself as an agent of L.U.C.C. Company. As per allegations, the investment was to be made for a period of three years but even upon maturity, said amount has not been returned.

4. It is submitted that applicant has been falsely implicated in the charges levelled against him and is in fact an agent of the said Company in which the said amount has been deposited. It is submitted that even as per contents of FIR, it is submitted that balance in respect has also been deposited in the account of applicant's wife. It is submitted that applicant is cooperating in the investigation.

5. Learned A.G.A. has opposed anticipatory bail application with the submission that FIR clearly indicates connivance of applicant as well in the allegations levelled. It is however submitted that he does not have any information with regard to previous criminal history of applicant.

6. Upon consideration of submissions advanced by learned counsel for parties and perusal of material on record, it appears that main gist of allegation has been levelled against co-accused applicant's wife into

whose account the amount is also said to have been deposited. The investigation does not appear to have finished till date. Learned counsel for applicant has also provided an undertaking of applicant that he shall cooperate in the investigation.

7. Considering the aforesaid facts and circumstances of the case and after perusal of the record, this Court finds it to be a fit case of interim anticipatory bail.

8. Let the accused- Govind Gupta @ Govind applicant as an interim measure be enlarged on anticipatory bail in view of the Constitution Bench judgment of Supreme Court in the case of Sushila Aggarwal Vs. State (NCT of Delhi)-2020 SCC online SC 98. The future contingencies regarding the anticipatory bail being granted to applicant shall also be taken care of as per the aforesaid judgment of the Apex Court.

9. In the event of arrest, the accused-applicant shall be released forthwith in the aforesaid case crime on bail furnishing a personal bond and two sureties of the like amount to the satisfaction of the arresting officer/investigating officer/S.H.O. concerned on the following conditions:-

(i) that the applicant shall make himself/herself 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/her from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii) that the applicant(s) shall not leave India without the previous permission of the court;

(iv) that in case charge-sheet is submitted the applicant(s) shall not tamper with the evidence during the trial;

(v) that the applicant(s) shall not pressurize/ intimidate the prosecution witness;

(vi) that the applicant(s) shall appear before the trial court on each date fixed unless personal presence is exempted;

(vii) that in case of breach of any of the above conditions, benefit of this order would not be available to applicant(s).

10. List this case on 15.05.2025, as fresh alongwith service report.

11. Objections may be filed in the meantime."

Learned counsel for the applicant submits that the applicant has been released on interim anticipatory bail after filing of the personal bonds and two sureties in compliance of the aforesaid order. He has duly cooperated in the investigation. Charge-sheet in the case has already been filed. He has not misused the liberty of interim anticipatory bail granted by the Court. He undertakes to cooperate in the trial and in case, he is enlarged on anticipatory bail, he shall not misuse the liberty of same.

Learned A.G.A. opposed the prayer for anticipatory bail but could not

dispute the aforesaid facts as argued by the learned counsel for the applicant.

Without expressing any opinion on the merits of the case and considering the nature of accusation so also the fact that charge-sheet in the case has already been filed, the applicant has not misused the liberty of interim anticipatory bail granted by the Court coupled with the undertaking given by the applicant that he will cooperate in the trial, the interim anticipatory bail granted by the coordinate bench of this Court vide order dated 22.4.2025 is made absolute in view of dictum of Apex Court in re: ***Sushila Aggarwal Vs. State (NCT of Delhi)-2020 SCC online SC 98.***

It is made clear that in case of breach of any of the conditions mentioned in the aforesaid order dated 22.4.2025, the court below shall have the liberty to cancel the bail.

In view of the aforesaid, the anticipatory bail application is **allowed**.

(Rajeev Bharti,J.)

March 19, 2026

Shravan