



2026:AHC:56590

## HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.  
- 1989 of 2026

Shubham

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite  
Party(s)

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| Counsel for Applicant(s)      | : | Ankur Singh, Pavan Kumar |
| Counsel for Opposite Party(s) | : | G.A.                     |

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**Court No. - 72**

**HON'BLE JITENDRA KUMAR SINHA, J.**

1. Supplementary affidavit, filed by learned counsel for the applicant and vakalatnama filed by Sri S.S. Pandey, learned counsel for the first informant, are taken on record.
2. Heard Sri Anurag Dubey, advocate holding brief of Sri Pavan Kumar learned counsel for the applicant, Sri Shyam Sankar Pandey, learned counsel for the first informant and Sri Manoj Gautam, learned A.G.A. for the State and perused the record.
3. The present application has been moved seeking anticipatory bail in Case Crime no. 4 of 2026, under Section 109(1) BNS, P.S. Deoband, District Saharanpur with the prayer that in the event of arrest, the applicant may be released on bail.
4. It is contended by learned counsel for the applicant that the specific role of assault by fire arm has been assigned to the applicant. However, the injuries, suffered by the injured are simple in nature and on non vital parts. The applicant undertakes to co-operate during trial and to appear as and when required by the investigating agency or Court and in case he is granted anticipatory bail, he shall not misuse the liberty of bail and would obey all conditions of bail.
5. On the other hand, learned A.G.A. opposed the prayer for grant of anticipatory bail and submitted that the applicant has been assigned the

role of opening fire on the first informant in which the first informant has received a fire arm injury on his right arm.

6. I have considered the rival submissions made by learned counsel for the parties.

7. The applicant has been assigned the role of opening fire on the first informant wherein the first informant received a fire arm injury on his right arm. However, the injury is simple in nature and on non vital part.

8. 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, the Court must consider nature and gravity of accusation, antecedents of the accused, possibility of accused to flee from justice and that Court must evaluate the entire available material against the accused carefully and the exact role of accused has also to be taken into consideration.

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

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

11. In the event of arrest of the applicant **Shubham** involved in the aforesaid case crime, he 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 shall appear before the trial Court either in person or through counsel on each and every date fixed unless exempted by the Court concerned and shall not seek any undue adjournment;

(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.

12. 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 18, 2026**

Vandana