



2026:AHC-LKO:21142

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 12271 of 2025

Anandeshwar @ Anand Agrahari

.....Applicant(s)

Versus

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

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Syed Husain Abbas, Irshad Ali
Counsel for Opposite Party(s)	:	G.A.

Court No. - 17

HON'BLE RAJEEV SINGH, J.

1. Heard learned counsel for the applicant, learned A.G.A for the State of U.P. and perused the record.

2. This is second bail application moved on behalf of the applicant in Case Crime No.833 of 2023, under Sections 302 I.P.C., Police Station - Thakurganj, District - Lucknow, with the prayer to enlarge him on bail.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case and he is in jail since 18.12.2023. He also submits that first bail application was rejected vide order dated 17.6.2025 passed in Criminal Misc. Bail Application No.8615 of 2024 with the direction to the trial court to conclude the trial expeditiously without giving any unnecessary adjournment to either of the parties and the Commissioner of Police, Lucknow as well as Joint Director of Prosecution, Lucknow to ensure the presence of witnesses of expeditious disposal of trial. He further submits that till date, only witnesses of fact have been examined and there is no possibility of conclusion of trial in near future. He further submits that there is no possibility of tampering of any evidence as all the witnesses of fact have already been examined and applicant does not have any criminal antecedent and is ready to cooperate in the trial, therefore, applicant is entitled for bail. In case of being enlarged on bail, he will not misuse the liberty of bail.

4. Learned A.G.A. has opposed the prayer for grant of bail and submits that there are sufficient evidences against the applicant in the deposition of witnesses examined before the trial court, but he does not dispute this fact that all the witnesses of fact have already been examined and applicant is in jail since 18.12.2023.

5. Considering the rival submissions of learned counsel for applicant, learned A.G.A., material available on record, contents of F.I.R., other relevant documents, nature of offence as well as facts and circumstances of the case, it is evident that all the witnesses of fact have already been examined and now only formal witnesses has to be examined, therefore, I am of the view that the applicant is entitled to be released on bail.

6. Let applicant - **Anandeshwar @ Anand Agrahari** - be released on bail in aforesaid Case Crime, on his furnishing personal bond and two reliable sureties each of the like amount to the satisfaction of the court concerned subject to following conditions:-

(i) The applicant shall not commit or participate in any offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(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 or tamper with the evidence.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the Trial Court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(iv) The applicant shall remain present before the Trial Court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the Trial Court may proceed against him under Section 229-A IPC/269 BNS.

(v) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C./84 BNS, may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the Trial Court shall initiate proceedings against him, in accordance with law, under Section 174-A IPC/209 BNS.

(vi) The applicant shall remain present, in person, before the Trial Court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C./351 BNS. If in the opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

7. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail

8. Trial court is directed to conclude the trial expeditiously without giving any unnecessary adjournment to either of the parties.

(Rajeev Singh,J.)

March 24, 2026

GauraV/-