



2026:AHC:127417

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 5670 of 2026**

Tarun And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sunil Kumar Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 45

HON'BLE VIVEK KUMAR SINGH, J.

1. A copy of bail order of co-accused Smt. Rekha has been produced by learned counsel for the applicants, which is taken on record.
2. Heard Sri Sunil Kumar Tiwari, learned counsel for the applicant and learned A.G.A for the State and perused the record.
3. The present application has been filed on behalf of the applicants- Tarun and Sachin in Case Crime No. 0314 of 2025 under Sections 191(2), 118(1), 115(2), 351(2), 351(3), 352, 131 and 109(1) B.N.S., 2023 Police Station- Kharkhauda, District Meerut, with a prayer to grant them anticipatory bail.
4. Learned counsel for the applicant submits that the applicant is absolutely innocent and has been falsely implicated in the present case. He has nothing to do with the alleged offence in spite of that the police are trying to arrest the applicant. The applicants and five other were named in the FIR dated 18.12.2025 and a general role of assault has been assigned against all the accused persons. However, when the statement of injured Gajendra was recorded during the course of investigation, he attributed the role of causing injuries to co-accused Manoj, Nikhil, Tanishq and Rekha. No specific role of the applicants has been attributed in the statement of injured. Learned counsel for the applicant further submits that the applicants undertake to cooperate during investigation and trial and shall appear as and when required by the Investigating Agency or the Court concerned. It has also been stated that, in case the applicants are granted anticipatory bail,

they shall not misuse the liberty of bail, shall cooperate with the investigation, and shall abide by all the conditions that may be imposed by the Court. It is also submitted that co accused namely Smt. Rekha has already been enlarged on anticipatory bail by a Co-ordinate Bench of this Court vide order dated 23.03.2026 passed in Criminal Misc. Anticipatory Bail Application U/S 482 BNSS No. 2467 of 2026. The case of the applicant is on more better footing than the case of aforesaid co-accused. More so the accused party and the informant including the injured have entered into compromise and a compromise deed dated 24.02.2026 has been appended as Annexure No. 17 to the affidavit.

5. On the other hand, learned A.G.A. has opposed the application for anticipatory bail, however, he does not dispute the factual aspect.

6. Considering the submissions made by learned counsel for the parties, this Court is of the view that the applicant has made out a case for grant of anticipatory bail on the ground of parity.

7. Accordingly, the anticipatory bail application is **allowed** with following directions:-

(i) In the event of arrest of the applicants- **Tarun** and **Sachin** involved in aforesaid case shall be released on anticipatory bail till the conclusion of trial, before the competent Court on their furnishing a personal bond of Rs.50,000/- with two sureties each of the like amount to the satisfaction of the Station House Officer of the police station concerned;

(ii) The applicant shall co-operate with the Investigating Officer during investigation and shall report to the Investigating Officer as and when required for the purpose of conducting investigation;

(iii) 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 them from disclosing such facts to the Court or to any police officer; and

(iv) The applicant shall not leave India without the previous permission of the Court.

8. In default or misuse of any of the conditions, the Public Prosecutor/ Investigating Officer/ first informant-complainant is at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant, before the concerned court.

(Vivek Kumar Singh,J.)

June 15, 2026

Kirti