



2026:AHC:127134

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 4330 of 2026**

Mahjad And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Santosh Kumar Gupta
Counsel for Opposite Party(s)	:	G.A.

Court No. - 6

HON'BLE MRS. VANI RANJAN AGRAWAL, J.

1. Heard learned counsel for the applicants as well as learned AGA for the State, and perused the material placed on record.
2. This application under Section 482 BNSS has been filed seeking anticipatory bail in Case Crime No. 159 of 2025, under Sections 191(2), 191(3), 190, 352, 351(3), 109(1), 324(4) B.N.S., Police Station- Asmoli, District - Sambhal.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the present case due to village enmity. The FIR was lodged against the applicants and 27 other persons with general allegations. The present case is nothing but a counterblast to PIL No. 1230 of 2024 (Mahjad vs. State of U.P. and 9 Others). The informant, namely Divyanshu Chaudhary, is a land mafia who has encroached upon Gaon Sabha land. When the applicants and other villagers protested against the said encroachment, the informant, in collusion with the police, lodged the present First Information Report with the intention of creating pressure upon the applicants and other villagers so that they may not interfere with the encroachment made by him. The applicants have a criminal history, which has been duly explained. No specific role has been assigned to the applicants. No incriminating article has been recovered from their possession, nor has any recovery been made at their pointing out. It is further submitted that the investigation is still pending and the applicants have a reasonable apprehension of arrest in the aforesaid case.

4. Learned AGA opposed the prayer for anticipatory bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Learned counsel for the applicants further submits that the application for grant of anticipatory bail be confined only till the submission of police report.

6. Having regard to the submissions advanced by learned counsel for the parties, the nature of the accusations, and the antecedents of the applicants, and without expressing any opinion on the merits of the case, I am of the view that the applicants are entitled to be enlarged on anticipatory bail till the submission of the police report.

7. In the event of arrest, the applicants- **Mahjad and Sajid** be released on anticipatory bail in the aforesaid case crime till the submission of police report, if any, under Section 193 (3) BNSS, on furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Station House Officer of the police station concerned with the following conditions:-

(i) The applicants shall make himself available for interrogation by a police officer as and when required;

(ii) The applicants 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;

(iii) The applicants shall not leave India without the previous permission of the Court and if they have passport, the same shall be deposited by them before the S.S.P./S.P. concerned.

8. In default of any of the conditions, the Investigating Officer is at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicants.

9. The Investigating Officer is directed to conclude the investigation of the present case in accordance with law expeditiously preferably within a period of three months from the date of production of a copy of this order independently without being prejudiced by any observation made by this Court while considering and deciding the present anticipatory bail

application of the applicant.

10. The applicants are directed to produce a copy of this order before the S.S.P./S.P. concerned within ten days from today, who shall ensure the compliance of present order.

11. The application stands disposed of.

June 12, 2026

P. Pandey

(Mrs. Vani Ranjan Agrawal,J.)