



2026:AHC:127284

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 5380 of 2026**

Aditya Savita @ Jatin

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Akhilesh Kumar Singh, Anjum Parveen
Counsel for Opposite Party(s) : G.A.

Court No. - 47

HON'BLE TARUN SAXENA, J.

1. Heard learned counsel for the applicant and learned AGA for the State.
2. The present anticipatory bail application has been filed by the applicant under Section 482 of BNSS apprehending his arrest in Case Crime No. 22 of 2024, under Sections 147, 352, 336, 308, 326 I.P.C., P.S.- Kakadeo, District-Kanpur Nagar.
3. It is submitted by learned counsel for the applicant that the accused applicant has been falsely implicated in the present case due to ulterior motive. It is further submitted that a general role has been assigned to all the accused person and no specific role has been assigned to the applicant of assaulting the injured. Moreover, the injuries that were sustained by the injured have not been opined to be dangerous to life. He further submits that co-accused persons, Gaurav Dixit, Aryan Gupta, Sahil Srivastava, Raj Gautam, Ayush Mishra and Divya sharma have already been granted bail by this Court in Criminal Misc. Bail Application No. 16593 of 2026, Criminal Misc. Bail application No. 16706 of 2026, Criminal Misc. Bail Application No. 9269 of 2024, Criminal Misc. Bail Application No. 8942 of 2024, Criminal Misc. Bail Application No. 17749 of 2026 and Criminal Misc. Bail Application No.17805 of 2026, respectively. The applicant has no criminal history to his credit. It is further submitted that the applicant undertakes to cooperate during investigation and trial and he would appear as and when required by the investigating agency or Court. It has been stated that in case, applicant is granted anticipatory bail, he shall not misuse the liberty of bail

and will cooperate with the investigation and would obey all conditions of bail.

4. On the other hand, learned AGA has opposed the application for anticipatory bail but could not dispute the aforesaid facts.

5. The scope of ambit of anticipatory bail is encapsulated in three insightful judgments of Hon'ble Supreme Court right from **Gurubaksh Singh Sibbia Vs. State of Punjab** reported in (1980) 2 SCC 565, **Siddharam Satlingappa Mhetre Vs. State of Maharashtra** reported in (2011) 1 SCC 694 and **Sushila Aggarwal and others Vs. State (NCT of Delhi) and another** reported in (2020) 5 SCC 1, wherein it is consistently held by Hon'ble Apex Court that while granting anticipatory bail, the Court should consider the application of the applicant to evaluate the threat or apprehension of arrest vis-a-vis the nature and gravity of accusation, criminal antecedent of the accused, false or exaggerated implication, need of custodial interrogation, willingness of the accused to cooperate in investigation and trial and the conduct of the accused and flight risk.

6. This Court, considering the fact that the co-accused persons have already been granted anticipatory bail and the case of the present applicant rests on the same footing, is of considered view that the applicant has made out a case for anticipatory bail.

7. The applicant- **Aditya Savita @ Jatin** involved in the aforesaid case crime shall appear before the trial court or the Investigating Officer, as the case may be within 30 days from the date of this order and shall be released on bail on furnishing a personal bond of Rs. 25,000/- with two sureties each in the like amount to the satisfaction of the court concerned with following conditions :-

(i) 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.

(ii) The applicant shall not pressurize/intimidate the prosecution witnesses.

(iii) The applicant shall remain present, in person, before the trial court on

the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS.

(iv) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in the trial court.

(v) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel.

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

9. It is clarified that anything said in this order is limited to the purpose of determination of this bail application and will in no way be construed as an expression on the merits of the case. The trial court shall be absolutely free to arrive at its independent conclusions on the basis of evidence led unaffected by anything said in this order.

(Tarun Saxena,J.)

June 15, 2026

Abhishek