



2026:AHC:127204

**HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 5386 of 2026**

Arjun Kumar

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	: Anshu Singh, Hemendra Pratap Singh
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 BNSS apprehending his arrest in Case Crime No. 58 of 2026, under Sections 318(4), 316(2), 338, 336(3), 340(2), 61(2) BNS, P.S.- Link Road, District- Ghaziabad.
3. It is contended by learned counsel for the applicant that the accused applicant has been falsely implicated in the said crime. The FIR is lodged against 14 persons. All of them either employed at the service centre of the concerned company or some how related to the service centre of the company. The applicant is working with the company as the Spare Part Assistant. It is the allegation in the FIR that the accused applicant in connivance with the other co-accused used some spurious parts during the service of the kia cars. Accused purchased the spurious items from the market and used them in place of genuine parts and committed wrongful loss to the company. An audit has been carried out wherein all these infirmities were disclosed. It is the contention of learned counsel that the accused applicant played no role in the aforesaid crime. Since the incident relates to the year 20.08.2024 up to 25.08.2025. It has further submitted that co-accused, namely, Deepak Dixit has already been granted anticipatory bail by this Court vide its order dated 29.05.2026 passed in Criminal Misc. Anticipatory Bail application U/S 482 BNSS No.5338 of 2026. The applicant has no criminal history apart from the instant case. The accused applicant undertakes to co-operate in the investigation but apprehending arrest. Hence, seeks anticipatory bail.
4. Per contra learned A.G.A. has opposed the prayer for bail of the

applicant.

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 entire purchases of the motor parts were made through prescribed procedure and the gravity of accusation along with the fact that co-accused has been granted anticipatory bail by this Court, is of the view that accused applicant has made out a case for anticipatory bail.

7. The applicant- **Arjun Kumar** 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 made by this Court 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.

June 15, 2026
Abhishek

(Tarun Saxena,J.)