



2026:AHC:126644

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 5522 of 2026**

Bhagauti Prasad And 4 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Mohammad Zafar Yab Khan, Shahroze Khan
Counsel for Opposite Party(s) : G.A.

Court No. - 6

HON'BLE MRS. VANI RANJAN AGRAWAL, J.

1. Heard Sri Shahroze Khan, learned counsel for the applicant as well as Sri Vinay Prakash Sahu, learned A.G.A. for the State and perused the material placed on record.
2. This is second anticipatory bail application preferred on behalf of applicant before this Hon'ble Court under Section 482 of B.N.S.S. in Case Crime No.80 of 2019, under Sections 419, 420, 468, 471, 120-B, 467 I.P.C., Police Station- Trilokpur, District- Siddharth Nagar, bearing Criminal Case No.1221 of 2020.
3. Learned counsel for the applicant submits that the story as has been alleged in the FIR is nothing but false and concocted one, in fact the applicants are innocent. Earlier vide order dated 29.01.2020, the applicants have already been granted anticipatory bail in Criminal Misc. Anticipatory Bail Application under Section 438 Cr.P.C. No.564 of 2020 till the submission of police report. Now the charge-sheet has been filed. Learned counsel further submits that police without thoroughly and properly investigating the case, illegally submitted the charge-sheet against the applicants and when applicants have applied for anticipatory bail then their anticipatory bail application has been dismissed by trial court. The present dispute is purely of civil in nature and parties are litigating before the Civil and Revenue Court. The opposite party No.2 did not become successful in the Civil and Revenue Court then she has chosen a method and by concealing about the earlier order passed by Civil and Revenue Courts,

launched the present prosecution by lodging the FIR, making bald allegation in the same. The applicants have apprehension of their arrest in the above mentioned case. In case, the applicants are granted anticipatory bail, they will not misuse the said liberty.

4. Learned A.G.A. for the State has opposed the prayer for anticipatory bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Considering the facts and circumstances of the case discussed above, in my view, applicants are entitled to remain on anticipatory bail till conclusion of trial.

6. Accordingly, without expressing any opinion on the merits of the case, the instant anticipatory bail application is **allowed**.

7. In the event of arrest of the applicants- **Bhagauti Prasad, Pawan Kumar, Roopwati, Vijay Pal and Devaki Nandan** involved in the aforesaid case crime number, shall be released on anticipatory bail till the conclusion of trial on furnishing a personal bond with two sureties each in the like amount to the satisfaction of the Presiding Officer/Court Concerned, with the conditions:-

- i. that 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 or tamper with the evidence;
- ii. that the applicants shall not leave India without previous permission of the court;
- iii. that the applicants shall not tamper with the evidence during the trial;
- iv. that the applicants shall not pressurize/ intimidate the prosecution witness;
- v. that the applicants shall appear before the trial court on each date fixed unless personal presence is exempted;

8. In case of breach of any of the above conditions, the court concerned shall have the liberty to cancel the bail granted to the applicant.

9. It is made clear that observations made in granting anticipatory bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

June 10, 2026
P. Pandey

(Mrs. Vani Ranjan Agrawal,J.)