



2026:AHC:126910

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 5247 of 2026

Anuj Mehrotra And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Raghubir Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 7

HON'BLE JAI PRAKASH TIWARI, J.

1. Heard learned counsel for the applicants as well as the learned A.G.A. for the State and perused the record.

2. This application has been moved on behalf of the applicants seeking anticipatory bail in Complaint Case No. 5948 of 2018, under Section 11 of the U.P. Fire Prevention and Fire Safety Act, 2005, Police Station-Nandgram, District-Ghaziabad.

3. It has been submitted by the learned counsel for the applicants that applicants are innocent and have been falsely implicated in the present matter due to ulterior motive. It is next submitted that applicants have fulfilled the entire formalities according to the provision for getting the completion certificate and fire safety certificate from the concerned department. It is also submitted that the applicants have not committed any illegal act. It is next submitted that applicants are having apprehension of arrest by the police any time in the above-mentioned case, whereas there is no credible evidence against them. If the applicants are enlarged on bail, they will not misuse the liberty and will cooperate with the investigation/trial.

4. Per contra, learned A.G.A. opposed the prayer for anticipatory bail.

5. In **Sushila Aggarwal and others vs. State (NCT of Delhi) and another, (2020) 5 SCC 1**, the Hon'ble Apex Court has settled the law on

the subject finally by holding that the anticipatory bail need not be of limited duration invariably. In appropriate case, it can continue upto conclusion of trial. It has been further held therein that anticipatory bail granted can, depending on the conduct and behavior of the accused, continue after filing of the charge sheet till trial. It has been further held by the Hon'ble Apex Court that while considering an application for grant of anticipatory bail, the court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation, or tampering with evidence including intimidating witnesses, likelihood of fleeing justice, such as leaving the country, etc. It has further been held that Courts ought to be generally guided by considerations such as the nature and gravity of the offences, the role attributed to the applicants, and the facts of the case, while considering whether to grant anticipatory bail, or refuse it. Whether to grant or not is a matter of discretion.

6. Considering the settled principles of law regarding anticipatory bail, nature of accusation, role of applicants and all attending facts and circumstances of the case, without expressing any opinion on the merits of the case, in my view, it is a fit case for anticipatory bail to the applicants till the trial.

7. The application is **allowed** accordingly.

8. The applicants- **Anuj Mehrotra And Sunil Khanna** are directed to appear before the Investigating Officer/Court concerned within a period of 15 days from today along with a copy of this order, and shall furnish personal bond with two sureties each in the like amount to the satisfaction of the court concerned, and they shall be released on anticipatory bail till the conclusion of trial, subject to the following conditions:-

(i) The applicants shall make themselves available before the Investigating Officer/Court concerned on the date fixed in the matter and will cooperate in the investigation/trial.

(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

office.

(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.

9. In case of default of any of the conditions, the same may be a ground for cancellation of protection granted to the applicants.

(Jai Prakash Tiwari,J.)

June 11, 2026

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