



2026:AHC:126780

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 5164 of 2026**

Prabhakar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Bijay Kumar Srivastava, Devendra
Kumar Bind, Zainab Parveen

Counsel for Opposite Party(s) : G.A.

Court No. - 6

HON'BLE MRS. VANI RANJAN AGRAWAL, J.

1. Heard Sri Bijai Kumar Srivastava, learned counsel for the applicant and Dr. S.B. Maurya, learned AGA for the State.

2. The present anticipatory bail application has been filed on behalf of the applicant in F.I.R./Case Crime No.104 of 2025, under Sections 115(2), 352, 351(3), 103(1), 191(2), 191(3), 190 and 3(5) BNS, Police Station Kheeri, District Prayagraj with a prayer to enlarge him on anticipatory bail during trial.

3. Learned counsel for the applicant submits, on the basis of false allegation applicant has been roped in the present matter.

4. It has been submitted by the learned counsel for the applicant that applicant is innocent and he has apprehension of arrest in the above-mentioned case, whereas there is no credible evidence against him. Allegations levelled against the applicant are false. He has been falsely implicated in this case. The applicant has no criminal history. It is next submitted that the co-accused have already granted regular bail by the co-ordinate Bench of this Court vide order dated 14.05.2026 passed in Criminal Misc. Bail Application No.4063 of 2026. If the applicant is also enlarged on bail, he will not misuse the liberty and will cooperate with the trial. The applicant has apprehension of his arrest by the police any time.

5. Per contra, learned A.G.A. opposed the anticipatory bail, but could not

dispute that the similarly placed co-accused of the applicant has already granted regular bail by the co-ordinate Bench of this Court.

6. Considering the settled principles of law regarding anticipatory bail, nature of accusation, role of applicant and all attending facts and circumstances of the case, and the co-accused of the applicant has already granted anticipatory bail by the co-ordinate Bench of this Court, without expressing any opinion on the merits of the case, in my view, it is a fit case for anticipatory bail to the applicant till the submission of Police Report under Section 193 BNSS.

7. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to remain on anticipatory bail till submission of Police Report under Section 193 BNSS.

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

9. In the event of arrest of the applicant- **Prabhakar** involved in the aforesaid case crime number, shall be released on bail till the submission of Police Report under Section 193 BNSS 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 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. that the applicant shall not leave India without previous permission of the court;
- iii. that the applicant shall not tamper with the evidence during the trial;
- iv. that the applicant shall not pressurize/ intimidate the prosecution witness;
- v. that the applicant shall appear before the trial court on each date fixed

unless personal presence is exempted;

10. 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.

11. 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.

(Mrs. Vani Ranjan Agrawal,J.)

June 11, 2026
S.A.