



2026:AHC:126168

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 5038 of 2026

Sukhdev And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Noor Muhammad, Yogesh Kumar
Srivastava

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

Court No. - 5

HON'BLE SANJIV KUMAR, J.

1. Heard Mr. Yogesh Kumar Srivastava, learned counsel for the applicants, learned Additional Government Advocate for the State and perused the records.

2. The present anticipatory bail application has been filed on behalf of the applicants in Case Crime No.181 of 2025, registered under Sections 191(2), 191(3), 117(2), 118(1), 110, 115(2), 352, 351(2) BNS, at Police Station- Khairgarh, District Firozabad, with a prayer to enlarge them on anticipatory bail.

3. Learned counsel for the applicants submitted that he does not want to press this application on behalf of applicant no.3 and seek to withdraw it on his behalf.

4. In view of the above statement, this application on behalf of applicant no.3 is dismissed as withdrawn. Learned counsel for the applicants is permitted to delete the name of applicant no.3 from the array of party.

5. Learned Counsel for the applicants submitted that the applicants have been falsely implicated in the present case. He next submitted that similarly situated co-accused person Rajeev and Vikas have already been granted anticipatory bail by a Coordinate Bench of this Court, vide order dated 03.02.2026, passed in Criminal Misc. Anticipatory Bail Applications under Section 482 BNSS No. 667 of 2026. Therefore, the

present applicant nos.1 and 2 also entitled to anticipatory bail on the ground of parity. He further submitted that applicant nos.1 and 2 undertake to cooperate during the investigation and trial and shall appear as and when required by the Investigating Agency or the Court concerned. It has also been stated that, in case applicant nos.1 and 2 are granted anticipatory bail, they shall not misuse the liberty of bail, shall cooperate with the investigation, and shall abide by all the conditions that may be imposed by the Court.

6. On the other hand, learned A.G.A. has opposed the application for anticipatory bail, however, he does not dispute the factual aspect.

7. Considering the submissions made by learned counsel for the parties, this Court is of the view that applicant nos.1 and 2 have made out a case for grant of anticipatory bail on the ground of parity.

8. Accordingly, the anticipatory bail application is **allowed**.

9. In the event of arrest of the applicants - **Sukhdev** and **Sanjay** involved in the aforesaid case crime shall be released on anticipatory bail on their furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned, with the following conditions :-

(i) Applicant nos.1 and 2 shall not tamper with evidence and that they would appear before the trial Court on the date fixed unless exempted by the Court concerned;

(ii) Applicant nos.1 and 2 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/her/them from disclosing such facts to the Court or to any police officer;

(iii) Applicant nos.1 and 2 would co-operate during trial and would not misuse the liberty of bail.

(iv) Applicant nos.1 and 2 shall not leave India without prior permission of the Court concerned.

10. In default of any of the conditions, the prosecution shall be at liberty to file appropriate application for cancellation of anticipatory bail granted to applicant nos.1 and 2.

(Sanjiv Kumar,J.)

June 8, 2026
Subham