



2026:AHC:127701

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 5127 of 2026**

Dharmaraj Bind

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Priya Dubey, Ravi Jha, Sharadey
Mishra

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

Court No. - 47

HON'BLE TARUN SAXENA, J.

1. Heard Sri Ratnesh Kumar Jaiswal, learned counsel for the applicant and Learned AGA for the State.

2. The present bail application has been filed by the applicant under Section 482 of BNSS apprehending his arrest in Case Crime No. 28 of 2025, under Sections 3/5A/8 and 5B of U.P. Prevention of Cow Slaughter Act, 1955 and Section 11 of the Prevention of Cruelty to Animals Act, 1960, P.S. Zamania, District Ghazipur, during pendency of the trial.

3. It has been submitted by the learned counsel for the applicant that the accused/applicant is innocent and has been falsely implicated in the said crime. It has also been submitted that no recovery has been made from the possession of the accused/applicant and his name has surfaced during the investigation on the basis of statement made by the co-accused. The accused/applicant has criminal history of two cases which has been explained in paragraph no.28 of the affidavit filed in support of the anticipatory bail application. The applicant undertakes to co-operate with investigation and trial.

4. Per contra learned A.G.A. has opposed the prayer for bail of the applicant, however could not dispute the fact that no recovery has been made from the possession of the accused/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 while considering the gravity of accusation, apprehension of arrest in the case vis-a-vis low flight risk and assurance of the accused in cooperating with the investigation and trial, is of considered view to grant anticipatory bail.

7. The **applicant- Dharmaraj Bind** involved in the aforesaid case crime shall appear before the trial court or the Investigating Officer as the case may be within thirty 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/she 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 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 16, 2026

SFH

(Tarun Saxena,J.)