



2026:AHC:127555

**HIGH COURT OF JUDICATURE AT ALLAHABAD**  
**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.**  
**- 4761 of 2026**

Shrikant And 3 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

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| Counsel for Applicant(s)      | : | Pankaj Satsangi |
| Counsel for Opposite Party(s) | : | G.A.            |

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**Court No. - 47**

**HON'BLE TARUN SAXENA, J.**

1. Heard learned counsel for the applicants and learned AGA for the State.
2. The present bail application under Section 482 of BNSS has been filed by the applicants apprehending their arrest in Special Session Case No. 2874 of 2025, under Section 310(2) BNS, P.S. Alapur, District Budaun.
3. It is contended by learned counsel for the applicants that the accused/applicants are innocent and have been falsely implicated in this case. It has also been submitted that the case concerned has arisen out of a complaint filed before the Magistrate concerned. The applicants have been summoned to face the trial after cognizance has been taken without applying judicial mind by the Magistrate concerned. It has been further submitted that co-accused Smt. Sharda and Smt. Maheshwari have already been granted anticipatory bail by this Court vide order dated 17.04.2026 passed in Criminal Misc. Anticipatory Bail Application U/S 482 BNSS No. - 3635 of 2026. A copy of the said anticipatory bail order is annexed as Annexure No. 8. In the concerned complaint, it has been alleged that the accused applicants along with some other co-accused entered into the house of opposite party no.2, beaten her family members and looted some cash and jewellery. The complaint has been filed before the Special Judge (Dacoity Affected Area). The provisions of offence of Dacoity has been invoked to give it a colour of heinous offence. It has been submitted that all the six of the family members of the accused/applicants including the accused/applicants were summoned to face the trial. The applicants have no criminal history. They are apprehending arrest and seek anticipatory bail.
4. Per contra learned A.G.A. has opposed the prayer for anticipatory bail of the applicants.

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 considering 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 after considering the gravity of accusation and apprehension of arrest in the case vis-a-vis low flight risk, is of considered view that applicants have successfully made out a case of anticipatory bail.

7. In the event of arrest of the applicants- **Shrikant, Mohit, Gaurav and Brajmohan** involved in the aforesaid case crime 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 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 him from disclosing such facts to the court or to any police officer or tamper with the evidence.

(ii) The applicants shall not pressurize/intimidate the prosecution witnesses.

(iii) The applicants 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 applicants shall file an undertaking to the effect that she shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in the trial court.

(v) The applicants 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**  
SK Srivastava

**(Tarun Saxena,J.)**