



2026:AHC:128121

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 4065 of 2026**

Bhoopendra Merathiya

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Arvind Kumar Uppadhaya, Gauri
Shanker Mishra

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

Court No. - 47

HON'BLE TARUN SAXENA, J.

1. Heard learned counsel for the applicant and learned AGA for the State.
2. The present bail application under Section 482 of BNSS apprehending his arrest in Case Crime No. 521 of 2025, under Section 115(2), 109(1), 191(1), 191(2), 191(3) BNS, P.S. Iglas, District Aligarh.
3. It is contended by learned counsel for the applicant that the accused/applicant is innocent and has been falsely implicated in this case. It has also been submitted that no specific role has been assigned to the applicant in the alleged incident and none of the injuries received to the injured are grievous in nature or dangerous to life. It is further submitted that three co-accused persons have already been granted regular bail by Sessions Court, while one co-accused Manoj Tiwari has been granted an interim anticipatory bail vide order dated 13.02.2026 passed in Criminal Misc. Anticipatory Bail Application U/S 482 BNSS No. 1450 of 2026. It has also been submitted that applicant undertakes to co-operate during investigation and trial and he would appear as and when required by the investigating agency or Court. It is further submitted that in case, applicant is granted anticipatory bail, he shall not misuse the liberty of bail and will co-operate with the investigation and would obey all conditions of bail. The applicant has no criminal history. He is apprehending arrest and seeks anticipatory bail.

4. Per contra learned A.G.A. has opposed the prayer for bail of the 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 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 the considered view that applicant has made out a case of anticipatory bail.

7. In the event of his arrest the applicant- **Bhoopendra Merathiya** 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 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 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.

(Tarun Saxena,J.)

June 18, 2026

SK Srivastava