



2026:AHC:65206

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 10066 of 2025**

Suraj Gond

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Gopal Krishna Pandey, Sujeet Nath Pandey
Counsel for Opposite Party(s) : Aditya Upadhyay, G.A.

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Sri Gopal Krishna Pandey, learned counsel for the applicant, Sri Amrish Pandey, learned counsel for the informant, and learned A.G.A. for the State.

2. This Court, on 17.12.2025, had passed the following order :-

"1. Heard Sri Gopal Krishna Pandey, learned counsel for the applicant and Sri Radhey Shyam, learned A.G.A. for the State and Sri Amrish Pandey, learned counsel for the first informant and perused the record.

2. Present application has been moved seeking anticipatory bail in Case Crime No. 78 of 2025, under Sections 3(5), 351(2) and 110 B.N.S., Police Station Kotwali, District Mau with the prayer that in the event of arrest, applicant may be released on bail.

3. Learned counsel for the applicant submits that applicant is innocent and he has an apprehension that he may be arrested in the above-mentioned case. He further submits that no offence is made out against the applicant as no specific role has been assigned to the applicant. It is further submitted that initially FIR has been lodged under Sections 125, 115(2) and 352 BNS and now chargesheet has been submitted. It is submitted that the applicant was granted bail in the above sections and now present application has been filed seeking anticipatory bail in the added Sections i.e. Sections 3(5), 351(2), 110 BNS. It is submitted that since the chargesheet has already been submitted, the applicant is ready and willing to cooperate in the trial. It was also submitted that applicant undertakes to co-operate during trial and he would appear as and when

required by the investigating agency or Court. It has been stated 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.

4. On the other hand, learned counsel for the first informant has opposed the prayer for grant of anticipatory bail and it has been submitted that the applicant is having criminal history of one case registered as Case Crime No. 200 of 202, P.S. Dohrighat, District Mau, which has not been explained.

5. Learned AGA has also opposed the prayer for grant of anticipatory bail and it is submitted that the applicant is having criminal history of one case, which has not been explained.

6. In reply, learned counsel for the applicant submits that the applicant shall filed supplementary affidavit explaining the status of the said case and therefore, he prays that the applicant may be granted some interim protection. 7. It may be stated that in case of Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694, it has been held by Hon'ble Supreme Court that while deciding anticipatory bail, the Court must consider nature and gravity of accusation, antecedent of accused, possibility of accused to flee from justice and that Court must evaluate entire available material against the accused carefully and that the exact role of the accused has also to be taken into consideration.

8. Considering the above submissions of the learned counsel for the applicant and without expressing any opinion on merits, the applicant-Suraj Gond involved in the aforesaid case crime be released on interim anticipatory bail on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned till 28.1.2026 with the following conditions :-

(i) The applicant shall not tamper with evidence and that he would appear before the trial Court on the date fixed unless exempted by the Court concerned;

(ii) 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/her/them from disclosing such facts to the Court or to any police officer;

(iii) The applicant would cooperate during trial and would not misuse the liberty of interim interim anticipatory bail.

(iv) The applicant shall not leave India without prior permission of the Court concerned.

9. In default of any of the conditions, the prosecution shall be at liberty to file appropriate application for cancellation of interim anticipatory bail granted to the applicant herein.

10. List this case as fresh on 28.1.2026.

12. In the meantime, learned counsel for the applicant may file supplementary affidavit bringing on record the criminal history as pointed out by the learned AGA and the learned counsel for the applicant."

3. Today, when the case has been called on, the learned counsel for the applicant states that he has filed a supplementary affidavit contending that the applicant is not named in Case Crime No.200 of 2023 lodged at P.S. Dohri Ghat, District Mau. The criminal history, that was pointed out by the learned A.G.A. on the last occasion, has wrongly been shown against the applicant.

4. The learned A.G.A. has not disputed the claim raised by the applicant in the supplementary affidavit.

5. The learned counsel for the applicant has reiterated the submissions made before this Court as recorded in the earlier order dated 17.12.2025. He further contends that similarly situated co-accused, Satyam Yadav and Sachin Yadav, have been granted anticipatory bail by this Court vide order dated 10.03.2026 passed in NA Bail No.10344 of 2025. The interim anticipatory bail granted to the applicant has also not been misused by the applicant. On the strength of the submissions of the learned counsel for the applicant claims anticipatory bail.

6. The learned counsel for the informant has opposed the prayer for grant of anticipatory bail, but, could not dispute the fact that the co-accused, Satyam Yadav and Sachin Yadav have been granted anticipatory bail by this Court.

7. I have considered the submissions made by the counsel for the parties.

8. Taking into account the entire facts and circumstances of the case, as also the fact that the similarly situated co-accused have been granted anticipatory bail by this Court, I deem it appropriate to grant anticipatory bail to the

applicant.

9. The anticipatory bail application is **allowed**.

10. In the event of the arrest of the applicant- **Suraj Gond**, involved in the Case Crime No.78 of 2025, under Sections 3(5), 351(2) and 110 of the B.N.S., 2023, Police Station - Kotwali, District Mau, he shall be enlarged on anticipatory bail on the same terms and conditions, as fixed in the earlier order dated 17.12.2025.

March 28, 2026

Kushal

(Rajiv Lochan Shukla,J.)