



2026:AHC:129374

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 6135 of 2026**

Dr. Om Prakash Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Aushim Luthra, Rajesh Pratap Singh

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

Court No. - 67

HON'BLE SAMEER JAIN, J.

1. Heard Sri Manish Triwari, learned Senior Counsel assisted by Sri Aushim Luthra and Sri Rajesh Pratap Singh learned counsel for the applicant and Sri Ramesh Kumar, learned A.G.A. for the State-respondent.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 247 of 2018, under Sections 7/13(1)d read with Section 13(2) of Prevention of Corruption Act, Police Station Linebazar, District Jaunpur, with a prayer to enlarge him on anticipatory bail, till the conclusion of trial.

3. Learned counsel for the applicant submitted that applicant was Chief Medical Officer and on the basis of false allegation during investigation he has been made accused in the present matter along with co-accused Ram Chandra who allegedly received bribe money and even bribe money was recovered from his possession and even he was named in the F.I.R.

4. He next submits F.I.R. of the present case was lodged in the year 2018 and during investigation through the statement of co-accused Ram Chandra applicant has been made accused but during investigation i.o. did not propose his arrest, however, applicant fully cooperated with the investigation and without his arrest charge sheet

has been filed against the applicant on 9.4.2026 and after submission of charge sheet cognizance has been taken and notices have been issued.

5. He next submits applicant is having apprehension if he will appear before the court concerned then he will be sent to jail.

6. He further argued as during investigation applicant was not arrested, therefore, now after some submission of charge sheet there is no occasion to send him behind bar.

7. He further argued applicant is not having any other criminal history and he has now retired from service.

8. He further submitted that considering the facts and circumstances of the case applicant should be enlarged on anticipatory bail till the conclusion of trial.

9. Per contra, learned AGA opposed the prayer for anticipatory bail but could not dispute the arguments on facts advanced by learned counsel for the applicant.

10. I have heard learned counsel for both the sides and perused the record of the case.

11. However, it reflects applicant was Chief Medical Officer and as per prosecution he also involved in the present crime along with co-accused Ram Chandra but applicant was not named in the F.I.R. and during investigation through the statement of co-accused Ram Chandra, who was named in the F.I.R., he has been made accused.

12. Record further suggests during investigation, however, applicant fully cooperated but I.O. did not propose to arrest him and without his arrest charge sheet has been filed.

13. Considering, the facts of the case this Court finds merit in the argument advanced by learned Senior Counsel appearing on behalf of the applicant that as during investigation applicant was not arrested, therefore, after seven years there is no occasion to send

him behind bar.

14. Further, the apprehension of arrest raised by the applicant also cannot be ruled out considering the general practice adopted by court concerned now a days.

15. Further, applicant is not having any criminal history.

16. Therefore, considering the facts and circumstances of the case discussed above, in view of this Court, applicant is entitled to be enlarged on anticipatory bail in this case, till conclusion of trial.

17. Accordingly, without expressing any opinion on the merits of the case, the instant anticipatory bail application of the applicant is allowed.

18. In the event of arrest of the applicant-**Dr. Om Prakash Singh**, involved in the aforesaid case crime number, shall be released on bail till conclusion of trial on furnishing a personal bond with two sureties each in the like amount to the satisfaction of the Presiding Officer/Court Concerned, with the conditions that:-

- i. that the applicant shall make himself available for interrogation by a police officer as and when required;
- ii. that 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;
- iii. that the applicant shall not leave India without previous permission of the court;
- iv. that the applicant shall not tamper with the evidence during the trial;
- v. that the applicant shall not pressurize/ intimidate the prosecution witness;
- vi. that the applicant shall appear before the trial court on each date

fixed unless personal presence is exempted;

19. In case of breach of any of the above conditions, the court concerned shall have the liberty to cancel the bail granted to the applicant.

20. It is made clear that observations made in granting anticipatory bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

June 24, 2026

Kumar Manish

(Sameer Jain,J.)