

In The Court of Sessions Judge, Gonda
Anticipatory Bail Application No. 524/2026
CNR No. UPGD01-0001531-2026

Subedar, aged about 40 years, S/o Chunnu, R/o Tikuiya, Mauja–Patna, P.S.–
Visheshwarganj, District–Bahraich. ... **Applicant/accused**

Versus

State of Uttar Pradesh

..... **Opposite party**

Date: 16.03.2026

1- This anticipatory bail application has been moved on behalf of applicant/accused **Subedar** U/s 482 BNSS in relation to case crime no. 302/2025, U/s 303(2) BNS, P.S.- Khargupur, District- Gonda.

2- The brief facts of the First Information Report are that on 13.12.2025, some unknown persons entered the hut of the complainant, Shahban and stole 14 goats tethered therein.

3- On the basis of above information, a first information report U/s 303(2) BNS was registered against unknown persons at police station concerned in aforesaid case crime.

4- It is contended on behalf of applicant/accused that he is innocent and has falsely been implicated. The name of accused/applicant came into light on the discloser statement of co-accused Kishnu. It is further submitted that co-accused persons are already enlarged on bail. Offence is triable by the court of Magistrate. On the above grounds, learned counsel for the applicant/accused urged to enlarge accused/applicant on anticipatory bail.

5- Contrary to that learned DGC (Crl.) for State vehemently opposed the anticipatory bail and argued that name of accused/applicant came into light during investigation. Investigation is going on. Offence is grievous in nature. Accused/applicant has criminal history of 04 cases in his account. But, at the same time did not disputed the fact that co-accused are already granted bail by this court.

6- Heard, learned counsel for the applicant/accused and learned DGC (Crl.) for the State and perused the material available on record.

7- From the perusal of record, it transpires that initially FIR was lodged against unknown. During investigation, name of accused/applicant came into light on the discloser statement of co-accused Kishnu. There is no independent witness of alleged incident. Maximum punishment for the offence committed in instant case is 05 years and fine. Offence is triable by the Court of Magistrate. Investigation is going on and charge-sheet is still awaited. Apart from this, co-accused Kishnu Sonkar and Abhimannu @ Mannu @ Manoj have already been enlarged on bail by this court vide

order dated 19.12.2025, 16.02.2026 passed in bail application no. 8412/2025 and 325/2026 respectively. 04 criminal history of accused/applicant has been produced before me from the prosecution side but no any report of previous conviction has been given.

8- Accordingly, in light of above facts and circumstances of the case and without expressing any opinion on the merit of the case, in my opinion, it is a fit case for anticipatory bail.

Order

Anticipatory bail application **524/2026** of accused/applicant **Subedar** in relation to case crime no. 302/2025 U/s 303(2) BNS, P.S.- Khargupur, District- Gonda is hereby **allowed** till filing of charge-sheet.

In case of arrest in present case crime no. 302/2025 U/s 303(2) BNS, P.S.- Khargupur, District – Gonda accused/applicant be released on bail after furnishing personal bond of **Rs. 20,000-** and **one surety** of like amount along with his recent self attested photograph and an under taking of the following conditions at the satisfaction of the Investigating officer/ court concerned:-

- 1- applicant/accused 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.
- 2- applicant/accused shall, at the time of execution of the bond, furnish their address and mobile number to the investigating officer, and the court concerned, and shall not change their residence till the final disposal of the case;
- 3- applicant/accused shall surrender their passport, if any, before the investigating officer within in 02 weeks and, if they does not posses any passport, they shall file an affidavit to the effect before the investigating officer/ court;
- 4- applicant/accused shall regularly remain present during the trial, and co-operate with the court to complete the trial for the above offences;
- 5- applicant/accused shall not leave India without the previous permission of the court.

If breach of any of the above conditions is committed, the order of anticipatory bail would be cancelled and it would be open to the court to proceed against the accused/applicant as per law.

Dated : 16.03.2026

(Durg Narain Singh)
Sessions Judge,
Gonda

ID No. UP 5863