



HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C.
No. - 1023 of 2025**

Mohandas Pandey

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ram Pravesh Yadav, Shashank Kumar
Counsel for Opposite Party(s) : Deepak Dubey, G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Ravi Prakash Yadav, holding brief of Sri Ram Pravesh Yadav, learned counsel for the applicant and Sri Uma Shankar Mishra, learned A.G.A. for the State and Sri Ambuj Singh, holding brief of Sri Deepak Dubey, learned counsel for the first informant and perused the record.
2. Present application has been moved seeking anticipatory bail in Case Crime No. 403 of 2023, under Sections 406, 419, 420, 467, 468, 471 IPC, Police Station Kotwali, District Ballia 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. It is further submitted that co-accused Pankaj Pandey has already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 29.11.2023 passed in Criminal Misc. Anticipatory Bail Application u/s 438 CrPC No. 11872 of 2023. It is further submitted that the case of the applicant is on better footing than that of co-accused Pankaj Pandey. 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. Learned counsel for the first informant seeks time to file counter affidavit.

5. Learned AGA has opposed the prayer for grant of anticipatory bail.

6. 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.

7. Considering the above submissions of the learned counsel for the applicant and without expressing any opinion on merits, the applicant- **Mohandas Pandey** 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 19.1.2026** 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 bail.

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

8. 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.

9. List this case on 19.1.2026 in the additional cause list.

10. In the meantime, learned counsel for the first informant may file counter affidavit by the next date.

(Jitendra Kumar Sinha,J.)

December 11, 2025

Abhishek