



2026:AHC:55225

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 1821 of 2026

Subhash

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Jai Prakash Singh, Rahul Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Rajiv Chaudhary, holding brief of Jai Prakash Singh, learned counsel for the applicant and Sri B.P. Singh, learned AGA for the State and perused the record.
2. The present application has been moved seeking anticipatory bail in Case Crime no. 293 of 2012, under Sections 363, 366 of IPC, Police Station Jaithra, District Etah, with the prayer that in the event of arrest, applicant may be released on bail.
3. It is contended by learned counsel for the applicant that the victim has been recovered and has since married the applicant, and three children have been born out of the said wedlock. It is further submitted that the applicant is ready to cooperate in the trial. It is also submitted that the applicant is having no criminal history. 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 A.G.A., opposed the prayer for anticipatory bail and submitted on the basis of instructions that the victim has not yet been recovered.
5. 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, 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.
6. In the instant case, considering the settled principle of law regarding anticipatory bail, submissions of the learned counsel for the parties, role of applicant and all

attending facts and circumstances of the case, without expressing any opinion on merits, a case for anticipatory bail is made out.

7. In the event of arrest of the applicant- **Subhash** involved in the aforesaid case crime shall be released on interim anticipatory bail till 09.04.2026 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, 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 co-operate during trial and would not misuse the liberty of 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 anticipatory bail granted to the applicant.

9. List this case on **09.04.2026 as fresh in top twenty cases.**

10. Learned AGA is directed to obtain updated instructions that the victim has been recovered or not by the next date.

March 16, 2026
Neetu

(Jitendra Kumar Sinha,J.)