



HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 1924 of 2026**

Hari Shankar Yadav

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Santosh Kumar Mishra, Vinay Kumar Mishra

Counsel for Opposite Party(s) : Alok Singh, G.A., Phool Chandra Singh, Sumitra Singh

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri S.K. Mishra, learned counsel for the applicant and Sri Uma Shanker Mishra, learned A.G.A. for the State and Sri Phool Chandra Singh and Sri Alok Singh, learned counsel for the first informant and perused the record.

2. Present application has been moved seeking anticipatory bail in Case Crime No. 225 of 2025, under Sections 109, 115(2), 351(2), 352 B.N.S., Police Station Bhatani, District Deoria 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 similarly placed co-accused Shiv Kumar Yadav has already been granted anticipatory bail by this Court vide order dated 24.1.2026 passed in Criminal Misc. Anticipatory Bail Application u/s 482 BNSS No. 1910 of 2026 and the injuries of the two injured have been found to be simple in nature and no specific role of assault has been assigned to the applicant. 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 is submitted that the injured has assigned specific role of assault by iron rod to the applicant and the applicant is having criminal history of one case relating to the offences under Sections 323, 325, 504, 506 IPC, which has not been explained by him.

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

6. As per allegation in the FIR, the applicant and some unknown persons are said to have assaulted the first informant side by hard and blunt object as a result of which two persons are said to have received injuries, however, they are simple in nature. The applicant is having criminal history of one case as pointed out by the learned counsel for the first informant and learned AGA.

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- **Hari Shankar Yadav** 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 6.4.2026** 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.

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 6.4.2026.

11. In the meantime, the applicant is directed to file supplementary affidavit bringing on record entire criminal history.

12. Learned counsel for the first informant may file counter affidavit by the next date.

(Jitendra Kumar Sinha,J.)

February 25, 2026

Abhishek