



2026:AHC:54939

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2579 of 2026**

Karan

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Amar Singh Yadav
Counsel for Opposite Party(s) : G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Sri Sudhakar Yadav, Advocate, holding the brief of Sri Amar Singh Yadav, learned counsel for the applicant; and learned A.G.A. for the State are present.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 29 of 2026, under Sections 69, 351(3) of the B.N.S., 2023, Police Station – Phoolpur, District Azamgarh, with a prayer to enlarge him on anticipatory bail, till the conclusion of the trial.

3. The learned counsel for the applicant states that the applicant has been falsely implicated in the present case. He seeks anticipatory bail on the following grounds :-

i. The First Information Report (FIR) states that the applicant and the victim were in a romantic relationship for the past six years.

ii. The FIR is merely an attempt to coerce the applicant into performing marriage.

iii. The applicant has no criminal antecedents.

iv. An offence under Section 69 of the B.N.S. has been enforced from 1st July, 2024, and for a relationship that is stated to have existed for the past six years, the said offence is not attracted.

4. Learned A.G.A. has opposed the prayer for grant of anticipatory bail and states that the applicant is the solitary accused in the present case. It is

contended that he made a false promise of marriage. No indulgence may be granted to him as the offence alleged is heinous in nature.

5. I have considered the submissions made by the learned counsel for the parties.

6. The FIR clearly mentions that the applicant and the victim were in a consensual relationship for the past six years. Although it has been stated in the FIR that the relationship was based on false promise of marriage, a perusal of the statement recorded under Section 183 B.N.S.S. during investigation, as placed before this Court by the learned A.G.A., does not indicate any such false promise. Even in the said statement, it appears that the intent of the victim is to marry the applicant. The applicant has no criminal antecedents, and in the opinion of this Court, a long-standing physical relationship does not constitute an offence under Section 69 of the B.N.S.

7. Taking into consideration the entire facts and circumstances of the case, as discussed above, I deem it appropriate to enlarge the applicant on anticipatory bail.

8. The anticipatory bail application of the applicant is **allowed**.

9. In the event of the arrest of the applicant- **Karan**, involved in the aforesaid case crime, he shall be released on anticipatory bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned, with the following conditions:-

- i. 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;
- iii. that the applicant shall not leave India without the previous permission of the Court;
- iv. that the applicant shall not pressurize/intimidate the prosecution

witness;

10. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

11. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

March 18, 2026

Kushal