



HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 2438 of 2026**

Rajeev Kumar

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Noor Ahmed
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Ms. Arti Gupta, learned counsel for the applicant, Mr. B.P. Maurya, learned A.G.A. for the State and perused the record.

2. The present application has been moved seeking anticipatory bail in Case Crime No. 342 of 2025 under Sections 61(2), 318(4), 338, 336(3), 340(2), 352, 351(2) B.N.S. Police Station-Massoorie, District-Ghaziabad, with the prayer that in the event of arrest, applicant may be released on bail.

3. It has been argued by the learned counsel for the applicant that applicant is innocent and he has been falsely implicated in this case. It is further submitted that co-accused Krishna Kumar and Rajesh Kumar have already been granted anticipatory bail by this Court. 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. has opposed the application for anticipatory bail and submits that he has no instructions with regard to grant of anticipatory bail of co-accused Krishna Kumar and Rajesh Kumar.

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 event of arrest of the applicant- Rajeev Kumar involved in the aforesaid case crime shall be released on interim anticipatory bail till 21.04.2026 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.

7. 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.

8. List this case on 21.04.2026 as fresh.

9. In the meantime, learned A.G.A. is directed to seek instructions in the matter.

March 20, 2026
SY

(Jitendra Kumar Sinha,J.)