



2026:AHC:55576

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2599 of 2026

Shailendra Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Daya Shanker Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for the applicant, 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. 15 of 2024, under Sections 420, 467, 468, 471, 120-B, 388, 406, 506 I.P.C., Police Station Niwari, District Ghaziabad, with the prayer that in the event of arrest, applicant may be released on bail.
3. Learned counsel for the applicant has contended that the main Smt. Savita has deposited the disputed amount and she has already been granted interim protection by the co-ordinate Bench of this Court vide order dated 01.10.2024 passed in Criminal Misc. Anticipatory Bail Application u/s 438 Cr.P.C. No. 9435 of 2024, copy of which order is at page no. 48 of the paper book. Learned counsel for the applicant has further argued that the applicant had earlier filed a Criminal Misc. Anticipatory Bail Application U/s 482 BNSS No. 7363 of 2025, and this Court had granted anticipatory bail to the applicant till submission of police report. Learned counsel further argued that there is no credible evidence against the applicant yet the investigation officer has submitted the charge in per-functionary manner without any cogent evidence against him. It has been argued by the learned counsel for the applicant that applicant is innocent and he has an apprehension that he may be arrested in the above-mentioned case. It has further been 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, the 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 A.G.A. has opposed the application for anticipatory bail.

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, nature of accusation, role of applicant and all attending facts and circumstances of the case, without expressing any opinion on merit of the case, a case for anticipatory bail is made out.

7. The anticipatory bail application is **allowed**.

8. In the event of arrest of the applicant **Shailendra Kumar** involved in the aforesaid case crime shall be released on anticipatory bail till conclusion of trial on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the concerned Court subject to the following conditions :-

- i) The applicant shall not tamper with the prosecution evidence.
- ii) The applicant shall not threaten or harass the prosecution witnesses.
- iii) The applicant shall appear before the trial Court on each and every dates fixed.
- iv) The applicant shall not commit an offence similar to the offence of which the applicant is accused, or suspected of the commission.
- v) 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 such person from disclosing facts to the Court or to any police officer or tamper with the evidence.

9. In case of breach of any of the above condition, the trial Court shall be at liberty to cancel the bail of the applicant in accordance with law.

(Dr. Gautam Chowdhary,J.)

March 18, 2026
S.Ali