



HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 8495 of 2025**

Ashish Gupta

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Hridai Narayan Sharma, Vedmani
Agrahari, Vipin Kumar Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Vipin Kumar Singh, learned counsel for the applicant and Sri J.P. Singh, 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. 0097 of 2025, under Sections 3, 3A Fertilizer (Movement Control), Order 1973 and 3/7 E.C. Act, Police Station Bara, District Yamunapar, Commissionerate, Prayagraj with the prayer that in the event of arrest, applicant may be released on bail.
3. It is contended 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. He further submits that no offence is made out against the applicant as the applicant is said to be the driver of the vehicle from which 50 bags of uria fertilizer has been recovered. 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. has submits that he has not received any instructions as yet.

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, 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.

6. Considering the above submissions of the learned counsel for the applicant and without expressing any opinion on merits, the applicant- **Ashish Gupta** involved in the aforesaid case crime is 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 12.11.2025 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 anticipatory bail 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 interim anticipatory bail granted to the applicant herein.

8. List this case as fresh on 12.11.2025.

(Jitendra Kumar Sinha,J.)

October 17, 2025

Abhishek