



HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 9026 of 2025**

Kailash Chandra Shukla

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Alka, Rakesh Kumar Rathore, Rekha
Sahu

Counsel for Opposite Party(s) : G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Rakesh Kumar Rathore, learned counsel for the applicant, Shri 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 Complaint Case no.139 of 2024, under Sections 323, 325, 392, 504,506 of I.P.C., Police Station Kotwali, District Farrukhabad, with the prayer that in the event of arrest, applicant may be released on bail.

3. It is further submitted that the first informant is the son of the applicant and a civil dispute is pending between the applicant, first informant and other co-accused persons. It is further submitted that the police submitted a final report in the instant case but the first informant filed a protest petition and the learned Magistrate has taken cognizance of the offence and has summoned the applicant to face trial. It is further 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.

5. On the other hand, learned A.G.A. has opposed the application for anticipatory bail and it has been submitted by him that he has not received instructions as yet.

6. 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.

7. In the event of arrest of the applicant- **Kailash Chandra Shukla** involved in the aforesaid case crime shall be released on interim anticipatory bail till 11.12.2025 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.

8. 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.

9. List this case on **11.12.2025 as fresh**.

10. Learned AGA is directed to obtain instructions in the matter by the next date.

November 19, 2025
RKM

(Jitendra Kumar Sinha,J.)