



HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS
No. - 10058 of 2025**

Ashwani Gaur

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Prakhar Saran Srivastava
Counsel for Opposite Party(s) : G.A.

Court No. - 71

HON'BLE NALIN KUMAR SRIVASTAVA, J.

1. This application has been moved on behalf of the applicant - **Ashwani Gaur** seeking anticipatory bail in Case Crime No. 0671 of 2025, under Sections 69, 115(2), 351(3), 352 of BNS, P.S. Khair, District Aligarh.
2. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.
3. It has been submitted by the learned counsel for the applicant that applicant is innocent and he has apprehension of arrest in the above-mentioned case, whereas there is no credible evidence against him. Allegations levelled against the applicant are false. It is also submitted 15 days prior to the present FIR, an FIR was lodged by the victim admitting therein that the present applicant is her husband whereas in the instant FIR which was lodged 15 days after the first FIR i.e. on 30.9.2025 it was mentioned that despite several requests for marriage and long physical relations between the two, he denied for marriage. There are major contradictions between the contents of both the FIRs. It is also submitted that the investigation of the case is going on and no charge-sheet has been filed. It has been submitted that in case applicant is granted anticipatory bail, he will not misuse the liberty of bail and will co-operate in the proceedings of the Court and would obey all conditions of bail.
4. Learned A.G.A. opposed the prayer for anticipatory

bail.

5. Matter requires consideration.

6. As requested, learned AGA is allowed four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed by the next of listing.

7. As an interim measure, till the next date of listing, the applicant is granted interim anticipatory bail in the aforesaid case crime number. In the event of arrest of the applicant, he shall be released on 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 S.H.O concerned with the following conditions:-

(i) The applicant shall make himself available before the police officer / I.O. as and when required.

(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 from disclosing such facts to the Court or to any police office.

(iii) The applicant shall not leave India without the previous permission of the Court and if he has passport, the same shall be deposited by him before the S.S.P./S.P. Concerned.

8. In case of default of any of the conditions, it will be a ground for cancellation of interim protection granted to the applicant.

9. List this case on **18.2.2026** before the appropriate Bench.

December 10, 2025
safi

(Nalin Kumar Srivastava, J.)