



2025:AHC:174750

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 7197 of 2025

Head Constable 890 Sachin Raghav

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Amarnath Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 82

HON'BLE SAMEER JAIN, J.

1. Sri Rajiv Dhar Dwivedi, learned AGA apprised the Court that he has received the instructions, therefore, the instant anticipatory bail application may be finally, disposed off.
2. Heard Sri Amarnath Tripathi, learned counsel for the applicant and Sri Rajiv Dhar Dwivedi, learned A.G.A. for the State-respondent.
3. The present anticipatory bail application has been filed on behalf of the applicant in Sessions Case No. 699 of 2024 pending in the court of Additional Sessions Judge/Special Judge, Special Court No. 2 (Prevention of Corruption Act), Meerut arising out of Case Crime No. 1356 of 2023, under Sections 7/13 Prevention of Corruption Act, Police Station Indrapuram, District Trans Hinden (Commissionerate Ghaziabad), with a prayer to enlarge him on anticipatory bail, till the conclusion of trial.
4. Learned counsel for the applicant submitted that applicant is police constable and as per allegation, he received bribe of Rs. 500/- but entire allegation levelled against the applicant is totally false.
5. He further submitted that during investigation when applicant filed Anticipatory Bail No. 496 of 2024 then the co-ordinate Bench of this Court vide order dated 12.3.2024 directed that applicant shall be on anticipatory bail till submission of police report u/s 173(2) Cr.P.C.
6. He further submitted that now charge sheet has been filed and after investigation when he filed anticipatory bail application before the court

concerned then his anticipatory bail application has been dismissed.

7. He further submitted that as charge sheet has already been filed, therefore, there is no need of custodial interrogation of the applicant.

8. He further submitted that even considering the observation made by Apex Court in the case of ***Amanpreet Singh vs C.B.I. Through Director, decided on 2 September, 2021 in Crl. Appeal No. 929 of 2021***, applicant should be enlarged on anticipatory bail till trial.

9. He further submitted that however, applicant is having apprehension that if he will appear before the court, concerned then he will be sent to jail.

10. Per contra, learned AGA opposed the prayer for anticipatory bail but could not dispute the arguments on facts advanced by learned counsel for the applicant.

11. I have heard learned counsel for both the sides and perused the record of the case.

12. However, as per allegation, applicant was police constable and he accepted the bribe of Rs. 500/- but it reflects during investigation he has been released on anticipatory bail till submission of police report u/s 173(2) Cr.P.C. by the co-ordinate bench of this Court and now charge sheet has been filed against the applicant and this Court finds merit in the argument advanced by learned counsel for the applicant that after submission of the charge sheet, custodial interrogation of the applicant is not required.

13. Further, the apprehension of arrest raised by the applicant cannot be ruled out.

14. Therefore, considering the facts and circumstances of the case discussed above and the observation made by Apex Court in the case of ***Aman Preet Sing (supra)***, in my view, applicant is entitled to be enlarged on anticipatory bail in this case, till conclusion of trial.

15. Accordingly, without expressing any opinion on the merits of the case, the instant anticipatory bail application of the applicant is **allowed**.

16. In the event of arrest of the applicant-**Head Constable 890 Sachin Raghav**, involved in the aforesaid case crime number, shall be released on bail till conclusion of trial on furnishing a personal bond with two sureties

each in the like amount to the satisfaction of the Presiding Officer/Court Concerned, with the conditions that:-

- i. that 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 from disclosing such facts to the court or to any police officer or tamper with the evidence;
- ii. that the applicant shall not leave India without previous permission of the court;
- iii. that the applicant shall not tamper with the evidence during the trial;
- iv. that the applicant shall not pressurize/ intimidate the prosecution witness;
- v. that the applicant shall appear before the trial court on each date fixed unless personal presence is exempted;

17. In case of breach of any of the above conditions, the court concerned shall have the liberty to cancel the bail granted to the applicant.

18. It is made clear that observations made in granting anticipatory bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

September 26, 2025

Ankita

(Sameer Jain,J.)