HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 1612 of 2026

Chhoteylal Singh Chauhan @ Chhotu

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s) : Pankaj Kumar Yadav, Satish Kumar Pandey

Counsel for Opposite Party(s) : Dharmaveer Singh, G.A.

Court No. - 71

HON'BLE VIVEK KUMAR SINGH, J.

1. Supplementary affidavit filed today is taken on record.

2. Heard learned counsel for the applicant, learned counsel for the informant and learned A.G.A. for the State and perused the record.

3. The applicant-**Chhoteylal Singh Chauhan @ Chhotu,** was granted interim anticipatory bail in the present case by this Court vide order dated 25.02.2026. The said order is quoted herein below:

> *"1. Sri Dharma Veer Singh, learned counsel has filed his vakalatnama on behalf of the first informant which is taken on record.*
>
> *2. Heard Sri Satish Kumar Pandey, learned counsel for the applicant and Sri Radhey Shyam, learned A.G.A. for the State and Sri Shithlesh Pandey, holding brief of Sri Dharma Veer Singh, learned counsel for the first informant and perused the record.*
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> *3. Present application has been moved seeking anticipatory bail in Case Crime No. 0355 of 2025, under Sections 3(5), 115(2), 109, 351(2), 117(2), 61(2) B.N.S., Police Station Kopaganj, District Mau with the prayer that in the event of arrest, applicant may be released on bail.*
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> *4. Learned counsel for the applicant submits 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 and he has not been assigned any specific role of assault. It is submitted that as per allegations in the FIR two named and 9-10 unknown persons are said to have assaulted the first informant as a result of which the first informant has received multiple injuries on his person and some of the injuries have been found to be grievous in nature. 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 counsel for the first informant has opposed the prayer for grant of anticipatory bail and prayed for some time to file counter affidavit.

6. Learned AGA has opposed the prayer for grant of anticipatory bail.

7. As per allegations in the FIR, two named and 9-10 unknown persons are said to have assaulted the first informant as a result of which the first informant is said to have received multiple injuries on his person and some of the injuries have been found grievous in nature. No specific role has been assigned to the applicant.8. 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.

9. Considering the above submissions of the learned counsel for the applicant and without expressing any opinion on merits, the applicant-Chhoteylal Singh Chauhan @ Chhotu involved in the aforesaid case crime be 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 6.4.2026 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 interim anticipatory bail bail.

(iv) The applicant shall not leave India without prior permission of the Court concerned.

10. 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.

11. List this case as fresh on 6.4.2026.

12. In the meantime, learned counsel for the first informant may file counter affidavit."

4. Earlier interim anticipatory bail was granted to the applicant vide order dated 25.02.2026 and in pursuance of aforesaid order, the applicant is regularly appearing before the learned trial court which is clear from perusal of order sheet appended along with the supplementary affidavit dated 01.11.2026. It is submitted by the learned counsel for the applicant that co-accused Akhand Pratap Singh Chauhan, who is named in the FIR along with the present applicant, has been granted anticipatory bail by a co-ordinate Bench of this court vide order dated 01.04.2026 in NABAIl No.2809 of 2026. The applicant is regularly appearing before the learned trial court, therefore, there is no requirement of custodial interrogation of the applicant.

5. In view of above, the interim anticipatory bail granted to the applicant vide order dated 25.02.2026 is hereby made absolute. The applicant will remain on anticipatory bail till conclusion of trial on the same terms and

conditions as given in the order dated 25.02.2026 passed by this Court.

6. The anticipatory bail application stands allowed.

7. In default or misuse of any of the conditions mentioned in the order dated 25.02.2026 the Public Prosecutor/ Investigating Officer/ first informant-complainant would be at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant, before the concerned court.

(Vivek Kumar Singh,J.)

November 2, 2026
Nitendra

Digitally signed by :-
NITENDRA TIWARI
High Court of Judicature at Allahabad