HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 10929 of 2026

Smt Shyama Devi

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ajeet Kumar Srivastava
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicant, the Learned A.G.A. for the State and perused the record.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 11214 of 2026, under Sections 352, 115(2), 110, 351(3) of BNS, Police Station- Dataganj, District- Budaun, with a prayer to enlarge her on anticipatory bail as the applicant apprehends her arrest in the above-mentioned case.

3. Learned counsel for the applicant submits that that the applicant is a lady and she has been falsely implicated in the present case along with her husband and son. Learned counsel has further submitted that the applicant was not arrested during investigation. A charge sheet has now been filed and the applicant is no longer required for any custodial interrogation or recoveries. Learned counsel further submits that none of the offenses are punishable with the maximum imprisonment of more than seven years in the event of conviction, but the offence under Section 110 of the B.N.S. is triable by a court of session. The applicant has no criminal history.

4. The Learned A.G.A. has opposed the prayer for grant of anticipatory bail but does not dispute the fact that the applicant has no criminal history.

5. I have considered the submissions made by the Learned counsel for the parties and perused the material brought on the record.

6. The applicant has not been specifically assigned the role of assault on the injured. As per the averments of the F.I.R. and the statement of the witnesses, the applicant was only present on the spot. The case of the applicant stands on a separate footing from that of the co-accused Yogendra.

7. Taking into account the fact that the nominated accused in the F.I.R. all belong to one family, false implication of the applicant, who is a lady, cannot be ruled out. Without expressing any opinion on the merits of the case, I deem it fit to enlarge the applicant on anticipatory bail.

8. In view of the above, the anticipatory bail application of the applicant is **allowed**.

9. In the event of the arrest of the applicant **Smt Shyama Devi**, she shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and surety each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned with the following conditions:-

i. the applicant shall make herself available for interrogation by a police officer as and when required;

ii. 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 her from disclosing such facts to the Court or to any police officer;

iii. that the applicant shall not leave India without the previous permission of the Court;

iv. that the applicant shall not pressurize/intimidate the prosecution witness;

10. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

11. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

October 27, 2026
Fahad

(Rajiv Lochan Shukla,J.)

Digitally signed by :-
FAHAD NIYAZ
High Court of Judicature at Allahabad