2026:AHC:211181

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 8108 of 2025

Nitu Kumar Alias Nittu

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Rateesh Singh
Counsel for Opposite Party(s)	:	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 A.G.A. for the State and perused the record.

3. The applicant- Nitu Kumar Alias Nittu was granted interim anticipatory bail in the present case by this Court vide order dated 14.10.2025. The said order is quoted herein below:

> *"1. Heard Shri Rateesh Singh, 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 Case Crime no.13 of 2025, under Sections 61(1) (B), 318(4), 316(5), 351(3) of B.N.S., Police Station Chhapar, District Muzaffarnagar, with the prayer that in the event of arrest, applicant may be released on bail.*
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> *3. It has been argued by the learned counsel for the applicant that applicant is innocent and he has been falsely implicated in this case. It is further submitted that the duty of the applicant was appointed as a field agent to collect money from the customers and he deposited the entire money with one Bank Manager Ankur Tyagi at the relevant point of time. The said Ankur Tyagi has not been made accused and he has already been transferred from the said Bank. 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.

4. On the other hand, learned A.G.A. has opposed the application for anticipatory bail and has submitted that the investigation is still under progress and the applicant is not cooperating in the investigation.

5. 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.

6. In the instant case, considering the settled principle of law regarding anticipatory bail, submissions of the learned counsel for the parties, role of applicant and all attending facts and circumstances of the case, without expressing any opinion on merits, a case for anticipatory bail is made out.

7. In the event of arrest of the applicant- Nitu Kumar alias Nittu involved in the aforesaid case crime shall 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, 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 27.11.2025 as fresh. "

4. Earlier interim anticipatory bail was granted to the applicant vide order dated 14.10.2025 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 in the supplementary affidavit dated 06.10.2026. The investigation is complete in this matter and chargesheet has been submitted. 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 14.10.2025 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 14.10.2025 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 14.10.2025, 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.)

October 8, 2026
Radhika

Digitally signed by :-
RADHIKA VISHWAKARMA
High Court of Judicature at Allahabad