2026:AHC:210223

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 9806 of 2026

Gaurav Chaudhary @ Gaurav Mahajat

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Sanjay Kumar Dubey
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 and learned A.G.A. for the State as well as perused the record.

3. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 269 of 2026, under sections 191(2), 191(3), 109(1), 126(2), 351(2), 352 125 B.N.S., Section 7 Criminal Law Amendment Act & Section 25/27 Arms Act, Police Station Hathras Gate, District Hathras, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the abovementioned case.

4. Learned counsel for the applicant contends that the First Information Report has been lodged by Sub-Inspector of Police for offences under Sections 191(2), 191(3), 109(1), 126(2), 351(2), 352 125 Bharatiya Nyaya Sanhita (B.N.S.), 2023, Section 7 Criminal Law Amendment Act & Section 25/27 Arms Act, claiming that two groups of persons were resorting to violence and were also firing upon each other. Learned counsel has further submitted that although the allegations are of two groups of persons fighting and firing upon each other, however this is a case that involves no injury. The applicant has a criminal history of five other cases, however he is not a previous convict. It is further contended that co-accused Surya @ Surya Prakash has

been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 04.08.2026 in NABAIL No.7123 of 2026.

5. Learned A.G.A. has opposed the prayer for bail, however does not dispute the fact that this is a case involving no injury, nor the explanation given by the applicant regarding his criminal antecedents.

6. I have considered the submissions made by the Learned counsels for the parties.

7. This is a case involving no injury. The other co-accused, Surya @ Surya Prakash, has been granted anticipatory bail by a Coordinate Bench of this Court. This is a case of parity. The applicant has explained the criminal antecedents of five cases. He is not a previous convict.

8. Taking into account the facts and circumstances of the case, I deem it appropriate to enlarge applicant on anticipatory bail.

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

10. In the event of the arrest of the applicant- **Gaurav Chaudhary @ Gaurav Mahajat**, he shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and surety 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 himself 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 him 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;

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

12. 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.

(Vivek Kumar Singh,J.)

October 6, 2026
Radhika

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