2026:AHC:209295

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 10270 of 2026

Suresh Chand

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Deepak Kumar Singh, Ram Pal Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 55

HON'BLE VIKRAM D. CHAUHAN, J.

1. Heard learned counsel for the applicant as well as learned AGA and perused the material available on record.

2. The present Anticipatory Bail Application has been filed with the prayer to grant anticipatory bail to the applicant - **Suresh Chand** in Case Crime No. 818 of 2019, under Sections 409, 420, 120-B I.P.C. and Sections 13(1)(d), 13(2) of Prevention of Corruption Act, 1988 (initially registered under Sections 406 and 409 IPC), Police Station - Kotwali Karvi, District - Chitrakoot.

3. It is submitted by learned counsel for the applicant that excess payment was paid to the contractor. Applicant was Deputy Director (Construction) of the Mandi Parishad posted in the year 2018. Incident is of the year 2015. It is submitted that the only allegation against applicant is that excess payment paid has not been recovered by the applicant. Applicant was not named in the First Information Report. The name of applicant was surfaced after six years and till date, no charge sheet has been submitted, however, prosecution sanction has been granted. The applicant has no previous criminal history. It is submitted that co-accused Rajeev Kapoor, Vinay Kumar Singh and Jai Shankar Bajpai have already been enlarged on anticipatory bail by this Court by orders dated 4.5.2026, 31.7.2026 and 11.8.2026 passed in Criminal Misc. Anticipatory Bail Application U/S 482 BNSS Nos.3990 of 2026, 7748 of 2026 and 7685 of 2026. It is further submitted by learned counsel for applicant that applicant is innocent and has no concern with the present matter. Allegations levelled against the applicant are false. It is further argued that applicant's case is squarely covered under Section 482 BNSS. No prima facie case is made out against the applicant. If the applicant is enlarged on anticipatory bail, he will not misuse the liberty and cooperate with the investigation. The applicant has apprehension of his arrest by the police any time.

4. Learned A.G.A. opposed the prayer but does not dispute the factual matrix.

5. It is not shown by learned AGA that the offence in question will have impact on society at large. It is not shown that act causes harm to the society. The accusations arise out of dispute between individuals. It is not shown by learned AGA that the nature and gravity of allegations are such that the same would disentitle the applicant for relief of anticipatory bail. Learned AGA has not raised concern that any prejudice would be caused to free, fair and full investigation in the event the applicant is granted anticipatory bail. No material, facts, circumstances or concern been shown by learned AGA for the State that the accused may tamper with the evidence or witnesses or accused is of such character that his mere presence at large would intimidate the witnesses or that accused will use his liberty to subvert justice or tamper with the evidence.

6. Learned Counsel for opposite parties has not placed any criminal antecedents of the applicant. The applicant has no criminal history.

7. It is settled principle of law that the object of bail is to secure the attendance of the accused. No material particulars or circumstances suggestive of the applicant fleeing from justice or thwarting the course of justice or creating other troubles in the shape of repeating offences or intimidating witnesses and the like have been shown by learned AGA for the State.

8. In view of the above, the applicant is granted anticipatory bail in respect of offence described in para 2 of the present order. In the event of arrest of the applicant, he shall be released on anticipatory bail on his furnishing a personal bond of Rs.25,000/- with two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall make himself available for interrogation by a police office as and when required.

(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 from disclosing such facts to the Court or to any police office.

(iii) The applicant shall not leave India without the previous permission of the Court concerned.

(iv) In the event, the applicant changes residential address, the applicant shall inform the court concerned/Investigating Officer about new residential

address in writing.

(v) The applicant shall cooperate with the investigation and make himself available for interrogation whenever required.

(vi) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police.

(vii) The applicant shall maintain law and order.

(viii) The applicant shall at the time of execution of the bond, furnish his address and mobile number to investigating officer, and the court concerned.

(ix) The applicant shall regularly remain present during the trial, and cooperate with the Court to complete the trial for the above offences.

(x) Non presence of the applicant or his counsel before the court concerned shall be construed as violation of the present order and the court concerned would be at liberty to take coercive measures in accordance with law.

9. In case of default of any of the conditions, the Investigating Officer shall be at liberty to file appropriate application for cancellation of protection granted to the applicant.

10. With the directions made above, the anticipatory bail application stands **allowed**.

October 7, 2026
D. Tamang

(Vikram D. Chauhan,J.)

Digitally signed by :-
DHIRENDRA TAMANG
High Court of Judicature at Allahabad