2026:AHC:211780

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 10639 of 2026

Madan Mohan

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s) : Jaya Goswami, Rajiv Kumar Tripathi
Counsel for Opposite Party(s) : G.A.

Court No. - 73

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State as well as learned counsel for the informant and perused the record.

2. The present application has been moved seeking anticipatory bail in S. T. No. 108 of 2024, arising out of Complaint Case No. 24 of 2024, Vikas Mishra Vs. Madan Mohan and another, under Sections 323, 392 I.P.C., Police Station Jalaun, District Jalaun, with the prayer that in the event of arrest, applicant may be released on bail.

3. Learned counsel for the applicant submits that this is the second anticipatory bail application moved on behalf of applicant. In the first anticipatory bail application, initially the applicant was granted interim anticipatory bail vide order dated 29.04.2025, but ultimately the said anticipatory bail application came to be dismissed for want of prosecution vide order dated 23.03.2026. Learned counsel further submits that he has annexed entire upto date order sheet of the trial court, which goes to show that the applicant is appearing at the trial on each and every date. It has been argued by the learned counsel for the applicant that applicant is innocent and he has an apprehension that he may be arrested in the above-mentioned case, whereas there is no credible evidence against him. It was also submitted that applicant undertakes to cooperate during trial and he would appear as and when required by the Court. It has been stated that in case, the applicant is granted anticipatory bail, he shall not misuse the liberty of bail and would obey all conditions of bail.

4. Learned A.G.A. could not dispute the above fact asserted on behalf of the applicant that he is appearing at the trial regularly.

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, nature of accusation, role of applicant and all attending facts and circumstances of the case and considering the fact that a perusal of order sheet shows that the applicant is appearing at the trial regularly, without expressing any opinion on merit of the case, the present anticipatory bail application is **finally disposed of** with the direction that, in the event of arrest, the applicant- **Madan Mohan,** involved in the aforesaid case shall be released on 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 the following conditions :-

(i) The applicant shall attend the court proceedings as and when required.

(ii) The applicant shall not directly or indirectly make any inducement, threat or promise or to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or tamper with the evidence.

(iii) The applicant shall remain present before the court concerned on each and every date and shall cooperate during trial and would not misuse the liberty of bail.

7. In default of any of the conditions, the court concerned shall be at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant.

(Dr. Gautam Chowdhary,J.)

October 8, 2026
Mustaqeem.

Digitally signed by :-
MOHD MUSTAQEEM KHAN
High Court of Judicature at Allahabad