HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 10655 of 2026

Mithun (Minor)

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ashutosh Upadhyay
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE RAJIV LOCHAN SHUKLA, J.

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

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.215 of 2026, under Section 309(4) B.N.S., Police Station Mandavar, District-Bijnor, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the abovementioned case.

3. Learned counsel for the applicant has contended that the applicant is a minor having no criminal antecedents. The FIR was lodged against unknown persons regarding robbery of Rs.1800 and one LCD and DVR. The allegation is against four unknown persons committing the crime. Learned counsel for the applicant has contended that as per the prosecution version one co-accused Ankush was arrested by the police and in his confessional statement the name of the applicant was disclosed. Learned counsel has submitted that other than the confessional statement of the co-accused, there is no other direct evidence against the applicant.

4. Learned A.G.A. opposed the prayer for bail but does not dispute the fact that the applicant has no criminal antecedents.

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

6. It is the case of the applicant that an application under Section 175(4) of the BNSS had been filed against police personnel including the Station Officer In-charge of P.S. Mandawar, District Bijnor by the father of the applicant. Relying upon the averments made in the application, Learned counsel has stated that the father of the applicant was also falsely implicated by the police. From the perusal of the material collected during investigation especially the confessional statement of the co-accused, it appears that the applicant used to work at the brick kiln where the loot supposedly occurred. Despite this fact and also there not being any averment in the FIR of the robbers covering their faces, the applicant was not named in the FIR. The applicant has no criminal antecedents. Taking into account the entire facts and circumstances of the case, false implication of the applicant cannot be ruled out.

7. Considering the facts and circumstances of the case, I deem it appropriate to enlarge 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-**Mithun (Minor)**, he shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and surety to the satisfaction of the Station House Officer of the police station/Court concerned through his natural guardian 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;

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.

(Rajiv Lochan Shukla,J.)

October 27, 2026
A. Pandey

Digitally signed by :-
ANAND PANDEY
High Court of Judicature at Allahabad