HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 10594 of 2026

Dhananjay Sharma

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Garun Pal Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

HON'BLE VIVEK KUMAR SINGH, J.

1. Heard learned counsel for the applicant and learned A.G.A for the State and perused the record.

2. The present application has been filed on behalf of the applicant in Case Crime No. 568 of 2026, under Sections 318(4), 316(2), 316(5), 61(2), 338, 336(3), 340(2), 3(5) of B.N.S., Police Station - Vrindavan, District Mathura, with a prayer to grant him anticipatory bail.

3. Learned counsel for the applicant submits that the applicant is absolutely innocent and has been falsely implicated in the present case. He has nothing to do with the alleged offence in spite of that the police are trying to arrest the applicant. The alleged incident is said to have taken place between 31.07.2025 and 23.07.2026, whereas the F.I.R. was lodged on 24.08.2026. A total of 25 persons have been nominated in the F.I.R. The applicant is stated to be a Branch Manager of Muthoot Fincorp. It is further contended that a CCTV footage was obtained during course of investigation and it was found that co-accused Neha Pawar, who was a gold appraiser, was instrumental in the alleged offence and she prepared the loan file and fake gold was approved by her. According to the norms of the company, the work of gold appraiser is to identify the purity, weight and market value of the

gold and thereafter gold appraiser would produce his/her report regarding purity of gold. On the report of gold appraiser, bank manager approves the loan. Insofar as the applicant is concerned, it is alleged that loan file was approved by the applicant without proper verification. It is nowhere alleged that the applicant had hand in glove with the co-accused Neha Pawar, Rajeev Laturi Singh, Jagdish Singh, Ajeet Suresh, Tushar etc. The case of the applicant is distinguishable from that of other co-accused. The applicant has no criminal antecedent to his credit. Learned counsel for the applicant further submits that the applicant undertakes to cooperate during investigation and trial and shall appear as and when required by the Investigating Agency or the Court concerned. It has also been stated that, in case the applicant is granted anticipatory bail, he shall not misuse the liberty of bail, shall cooperate with the investigation, and shall abide by all the conditions that may be imposed by the Court.

4. On the other hand, learned A.G.A. has opposed the application for anticipatory bail, however, he does not dispute the factual aspect.

5. I have heard the rival submissions of both sides and perused the record.

6. The main allegation has been levelled against co-accused Neha Pawar, Rajeev Laturi Singh, Jagdish Singh, Ajeet Suresh and Tushar. The case of the applicant is distinguishable from that of aforesaid co-accused. The only allegation against the applicant is that he approved the loan file without proper verification. The applicant has no criminal antecedent to his credit.

7. In **Sushila Aggarwal and others vs. State (NCT of Delhi) and another, (2020) 5 SCC 1**, the Hon'ble Apex Court has held that while considering an application for grant of anticipatory bail, the court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation, or tampering with evidence

including intimidating witnesses, likelihood of fleeing justice, such as leaving the country, etc. It has further been held that Courts ought to be generally guided by considerations such as the nature and gravity of the offences, the role attributed to the applicant, and the facts of the case, while considering whether to grant anticipatory bail, or refuse it. Whether to grant or not is a matter of discretion.

8. In **Siddharth Vs. State of Uttar Pradesh & Another, (2022) 1 Supreme Court Cases 676**, the Hon'ble Apex Court has held that personal liberty is an important aspect of our constitutional mandate. The occasion to arrest an accused during investigation arises when custodial investigation becomes necessary or it is a heinous crime or where there is a possibility of influencing the witnesses or accused may abscond. Merely because an arrest can be made because it is lawful does not mandate that arrest must be made. A distinction must be made between the existence of the power to arrest and the justification for exercise of it. If arrest is made routine, it can cause incalculable harm to the reputation and self-esteem of a person. If the Investigating Officer has no reason to believe that the accused will abscond or disobey summons and has, in fact, throughout cooperated with the investigation, then there is no compulsion on the officer to arrest the accused.

9. 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, without expressing any opinion on merits, a case for anticipatory bail is made out.

10. Accordingly, the anticipatory bail application is **allowed** with following directions:-

(i) In the event of arrest of the applicant- **Dhananjay Sharma** involved in aforesaid case shall be released on anticipatory bail till the conclusion of trial, on his furnishing a personal bond of

Rs.50,000/- with two sureties each of the like amount to the satisfaction of the Station House Officer of the police station concerned or the court concerned.

(ii) The applicant shall co-operate with the Investigating Officer during investigation and shall report to the Investigating Officer as and when required for the purpose of conducting investigation;

(iii) 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 her/him from disclosing such facts to the Court or to any police officer; and

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

11. In default or misuse of any of the conditions, the Public Prosecutor/ Investigating Officer/ first informant-complainant is at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant, before the concerned court.

October 24, 2026
A.P. Pandey

(Vivek Kumar Singh,J.)

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