**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 10841 of 2026**

Raja Gaund

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

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Counsel for Applicant(s) : Deepak Kumar Kulshrestha, Kamlesh Kumar Kanojiya

Counsel for Opposite Party(s) : G.A.

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**Court No. - 70**

**HON'BLE RAJIV LOCHAN SHUKLA, J.**

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

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.137 of 2024, under Sections 115(2), 110, 352, 351(2) BNS, Police Station- Ravindra Nagar, Dhus, District Kushi Nagar, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case.

3. Learned counsel for the applicant has contended that the F.I.R. has been lodged with an excessive delay. The alleged incident is stated to have taken place on 13.07.2024 and the F.I.R. came to be lodged on 17.08.2024. In fact, the alleged injured had hit the wife of the applicant while rashly driving a motorcycle, resulting in a fracture of her leg. In this regard, an F.I.R. was lodged by the applicant being Case Crime No. 135 of 2024 on 01.08.2024. The present F.I.R. has been lodged in response to the aforesaid F.I.R.

4. Learned counsel has further submitted that even the medico-legal examination of the injured was conducted on 29.07.2024 i.e. approximately two weeks after the alleged incident.

5. Learned counsel has lastly submitted that a charge sheet has been submitted in the case and the applicant, who was not arrested during the

course of investigation, is no longer required for any custodial interrogation or recovery and may be considered for grant of anticipatory bail.

6. Learned A.G.A. has opposed the prayer for anticipatory bail but has not been able to point out any criminal antecedents of the applicant.

7. I have considered the submissions made by learned counsel for the parties.

8. The applicant has no criminal antecedents. The F.I.R. has been lodged with an excessive delay. Even the medical examination of the injured was conducted approximately two weeks after the alleged occurrence. None of the injuries has been found to be grievous in nature. The applicant was not arrested during the course of investigation and is no longer required for any custodial interrogation or recovery. The offences in question are punishable, in the event of conviction, with a maximum imprisonment of seven years. However, the offence under Section 110 of the Bharatiya Nyaya Sanhita, 2023 is triable by the Court of Session.

9. Taking into account all the facts and circumstances of the case and without expressing any opinion on the merits of the case, I deem it fit to enlarge the applicant on anticipatory bail.

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

11. In the event of the arrest of the applicant **Raja Gaund**, he shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and surety each 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;

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

13. 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 24, 2026**
S.A.

Digitally signed by :-
SALMAN AHMAD
High Court of Judicature at Allahabad