HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11062 of 2026

X Minor

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Abhishek Mishra
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.370 of 2026, under Sections 109(1), 191(2), 191(3), 115(2), 352, 351(3), 125, B.N.S., Police Station -Akrabad, District Aligarh, 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 submits that the applicant has been falsely implicated in the present case. The FIR has been lodged against one Dinesh and some unknown persons. The applicant is not named in the FIR. The allegation is that some people were having an altercation, which the injured stopped to witness and out of the persons having an altercation, one Dinesh pulled out a country-made pistol and fired a shot which hit the injured on his back. Learned counsel for the applicant has contended that the injured in his statement has maintained this version and has not named the applicant nor has given any specific role to any other person except Dinesh. Learned counsel for the applicant has contended that prior to the present FIR, a Sub-Inspector of police lodged the FIR for the similar incident naming the applicant and nine other accused including Dinesh. Learned counsel for the applicant has further contended that for an incident of 25.07.2026, an FIR being Case Crime No.368 of 2026 was registered against the co-accused Dinesh and five

others including the applicant. The applicant has been implicated in the present case solely due to two first information reports already having been lodged for altercation between the same parties at the same police station. The applicant is a minor and other than the two cases mentioned above, the applicant has no other criminal history.

4. Learned AGA has opposed the prayer for bail but does not dispute the explanation given by the applicant with respect to his criminal antecedents. Learned AGA has pointed out that in the instructions sent to him one other criminal case being Case Crime No.40 of 2021 under Section 364A, 342 and 120B IPC, P.S. Akrabad, District Aligarh has also been shown to have been lodged against the applicant.

5. Replying to the said objection Learned counsel for the applicant states that in the year 2021, the applicant was only aged about 12 years. In-fact the crime number that has been mentioned in the instructions sent is a case in which the father of the applicant was nominated as an accused and the applicant is not an accused in the same.

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

7. The injured has received a single gunshot injury, which has been specifically attributed to the co-accused Dinesh. The injured has not identified any other accused. There seems to be a dispute between two groups for which over a course of two days three FIRs have been lodged. The allegations appear to be of a group of persons having an altercation in which the specific role of pulling out a country-made pistol and firing has been given to the co-accused Dinesh. From the assertions made in the FIR as well as the statement of the witnesses, no offence appears to be made out against the applicant. Criminal history of the applicant has been satisfactorily explained.

7. Taking into account 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-**X 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 23, 2026
A. Pandey

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