HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11081 of 2026

Abhay @ Suraj Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

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

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. 168 of 2026, under Section 87 of BNS, Police Station- Binwar, District -Hamirpur, 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 applicant has been falsely implicated in the present case. The allegation against the applicant is of abducting the victim, who is a young woman, aged about 22 years. The victim in her statement under Section 180 BNSS has stated that she had gone to Chitrakoot on her own sweet will, and when her money ran out, she went to the police station Kotwali, after which she was then taken to the One Stop Center for women, where she stayed for three days, after which the police and her father came to pick her up. Learned counsel for the applicant has further contended that no offence is made out from the statement of the victim as recorded under Section 180 BNSS. The applicant has no criminal antecedents. He will not abscond and cooperate with the investigation and the trial, if any.

4. The Learned A.G.A. has opposed the prayer for grant of anticipatory bail and has contended that in statement under Section 183 BNSS recorded by the Magistrate, the victim has made allegations of abduction against the applicant. The applicant being the primary accused, may not be considered for grant of anticipatory bail.

5. I have considered the submissions made by the Learned counsel for the parties and perused the material brought on the record.

6. The FIR has been lodged after four days of the occurrence. The victim in her statement under Section 180 BNSS has not made any allegations against the applicant. The statement under Section 183 BNSS of the victim is in clear contrast to the statement under Section 180 BNSS. This Court at the present stage would not go into fine detail of the contradictions between the statements under Section 180 and 183 BNSS of the victim. However, the inconsistencies between both the statements and the manner of abduction as narrated in the statement under Section 183 BNSS, in the opinion of the Court, cast a suspicion over the entire prosecution version. The victim is a major girl, aged about 22 years and she has not alleged any sexual assault against the applicant. The applicant has no criminal antecedents.

7. 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.

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 -**Abhay @ Suraj Singh**, 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;

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.

October 23, 2026
Sartaj

(Rajiv Lochan Shukla,J.)

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