HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11127 of 2026

Dharmveer

.....Applicant(s)

Versus

State Of U.P. And 2 Others

.....Opposite Party(s)

Counsel for Applicant(s)	:	Alok Kumar Dwivedi, Indra Deo Mishra, Pankaj Kumar Tiwari
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.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.638 of 2024, under Sections 318(4), 338, 336(3), 340(2) of the B.N.S., 2023, Police Station – Akrabad, District Aligarh, with a prayer to enlarge him on anticipatory bail, as the applicant apprehends his arrest in the aforesaid case.

3. Learned counsel for the applicant has contended that the applicant is merely a marginal witness to a sale deed supposedly executed by some impostor standing instead of the husband of the informant who has gone missing for the past many years and is presumed dead. Learned counsel for the applicant has contended that the applicant is not the beneficiary of the sale deed in question. Even otherwise, there is no definite material to indicate that the husband of the informant, Hari Singh, is dead. Applicant has no criminal antecedents.

4. Learned A.G.A. has opposed the prayer for bail and has contended that the copy of the sale deed was obtained by the investigating officer and the photo appended to the sale deed, purportedly that of Hari Singh, was shown to villagers who stated that the said person was not Hari Singh and is some unknown person. The Learned counsel has further submitted that it is now established that the sale deed had been executed by some impostor in a bid to usurp the property of the husband of the informant.

5. I have considered the submissions made by the Learned counsel for the

parties.

6. The applicant has no criminal antecedents. Other than the applicant being a marginal witness of the sale deed in question, there is no other direct evidence of the applicant's involvement in the crime in question. The primary accused Prempal, who is the vendee and the ultimate beneficiary of the sale deed, has been granted regular bail by this Court in Criminal Misc. Bail Application No. 22721 of 2025. The case of the applicant stands on a different footing from that of the co-accused Prempal and taking note of the fact that the applicant has no criminal antecedents, a prima facie case for grant of anticipatory bail is made out.

7. The anticipatory bail application of the applicant is **allowed**.

8. In the event of the arrest of the applicant- **Dharamveer,** involved in the aforesaid case crime, he shall be released on anticipatory bail, on his furnishing a personal bond and surety 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. 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. The applicant shall not leave India without the previous permission of the Court;

iv. The applicant shall not pressurize/intimidate the prosecution witness;

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

10. 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 24, 2026
Kushal

(Rajiv Lochan Shukla,J.)

Digitally signed by :-
KUSHAL AGRAWAL
High Court of Judicature at Allahabad