HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11247 of 2026

Sarita And 3 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Sandeep Kumar Srivastava
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicants, 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 applicants in Case Crime No. 275 of 2026, under Sections 126(2), 191(2), 115(2), 140(1) and 190 B.N.S., Police Station- Mandi Dhanaura, District- J.P. Nagar (Amroha), with a prayer to enlarge them on anticipatory bail as the applicants apprehend their arrest in the above-mentioned case.

3. Learned counsel for the applicants has contended that the applicant no.1 is a Nurse. She was molested by the injured Vivek, for which an F.I.R. being Case Crime No. 274 of 2026 was registered by the police on an application given by the applicant on 17.09.2026. Learned counsel has further submitted that in response to the F.I.R. registered by the applicant no.1, this false F.I.R. has been registered as Case Crime No. 275 of 2026 as a cross version. Learned counsel has further submitted that the injured may have been assaulted by the public for his brazen attempt to molest applicant no.1. There is no direct allegation or any specific role given to the applicants of causing any injury to the injured. General allegations have been made, and although the injured claims to have suffered 11 injuries, except injury no. 5, the other injuries were all found to be simple in nature. The applicant no.3 has a criminal history of one other case in which he is on bail. The other applicants have no criminal antecedents.

4. The Learned A.G.A. has opposed the prayer for grant of anticipatory

bail, however, does not dispute the explanation given by the applicants with respect to their criminal antecedents, nor the fact that there is a cross version which has been lodged by the applicant no.1 prior to the registration of the present F.I.R.

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

6. Although the injured is stated to have sustained 11 injuries, none of them has been opined to be dangerous to life. There are cross-versions of the incident, wherein applicant No. 1 alleges that she was sexually assaulted by the injured.

7. Taking into account the cross versions, the lack of criminal antecedents of the applicants except the applicant number three who is also on bail in the solitary previous case registered against him, without expressing any opinion on the merits of the case, I deem it appropriate to grant anticipatory bail to the applicants.

8. In view of the above, the anticipatory bail application of the applicants is allowed.

9. In the event of the arrest of the applicants **1. Sarita, 2. Indrapal, 3. Koshindar and 4. Vishesh**, they 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 applicants shall make themselves available for interrogation by a police officer as and when required;

ii. that the applicants 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 them from disclosing such facts to the Court or to any police officer;

iii. that the applicants shall not leave India without the previous permission of the Court;

iv. that the applicants 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 27, 2026
Fahad

(Rajiv Lochan Shukla,J.)

Digitally signed by :-
FAHAD NIYAZ
High Court of Judicature at Allahabad