2026:AHC:227551

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11457 of 2026

Pankaj Alias Pankaj Udas

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Vijai Kumar Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Learned counsel for the applicant; and learned A.G.A. for the State are present.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 131 of 2026 under Sections 8, 20(b), 27(a) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station-Ramkola, District-Kushinagar, with a prayer to enlarge him on anticipatory bail, till the conclusion of the trial, as the applicant apprehends his arrest in the aforesaid case.

3. The learned counsel for the applicant states that the applicant has been falsely implicated in the present case. He seeks anticipatory bail on the following grounds :-

i. The first information report was lodged by the police against 12 named accused persons including the applicant.

ii. Two co-accused, namely, Sundar Lal Nishad and Suresh Yadav @ Sunil Yadav were arrested by the police and 21 kgs of Ganja is said to have been recovered from their possession.

iii. There is no independent witness to the said recovery. The applicant's name has surfaced in the confessional statement of co-accused Suresh Yadav @ Sunil Yadav.

iv. The similarly situated co-accused Vinod Kumar Gupta and Manoj Bind

have been granted anticipatory bail by this Court in Criminal Misc. Anticipatory Bail Application u/s 482 BNSS Nos/No. 4940 of 2026 and 4979 of 2026 respectively.

v. The applicant has no criminal antecedents.

4. Learned A.G.A. has opposed the prayer for grant of anticipatory bail however, he could not dispute the fact that the case of the applicant stands on a similar footing to that of the co-accused Vinod Kumar Gupta and Manoj Bind who have been granted anticipatory bail by this Court.

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

6. The applicant although named in the first information report, his name has been disclosed in the statement of the co-accused which is an inadmissible evidence. The similarly situated co-accused Vinod Kumar Gupta and Manoj Bind have been granted anticipatory bail by this Court. The applicant has no criminal antecedents and undertakes to cooperate with the investigation. The similarly situated co-accused persons, namely, Jitendra Pal, Vinod Kumar Gupta, Manoj Bind and Sunder Lal Nishad have already been granted anticipatory bail by this Court in NABAIL Nos. 6100 of 2026, 4940 of 2026, 4979 of 2026 and 16619 of 2026 subsequently.

7. Taking into consideration the entire facts and circumstances of the case, as discussed above, this Court is of the prima facie opinion that the applicant has made out a case for grant of anticipatory bail.

8. The anticipatory bail application of the applicant is allowed.

9. In the event of the arrest of the applicant - **Pankaj alias Pankaj Udas** involved in the aforesaid case crime, he shall be released on anticipatory bail on his furnishing a personal bond and two sureties 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. 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;

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.

November 2, 2026
Sartaj

(Rajiv Lochan Shukla,J.)

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