2026:AHC:231564

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11688 of 2026

Rakesh Singh Raghav And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s) : Ajay Pratap Singh, Lal Mani Singh, Praveen Kumar Singh

Counsel for Opposite Party(s) : G.A.

Court No. - 70

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Shri Lal Mani Singh, Learned counsel for the applicants 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 applicants in Case Crime No.371 of 2026 under Sections 115(2), 85, 92 of B.N.S., 2023 and Section 3/4 of Dowry Prohibition Act at Police Station Harduaganj, District Aligarh, with a prayer to enlarge them on anticipatory bail as the applicants apprehend their arrest in the abovementioned case.

3. Learned counsel for the applicants has contended that the applicants are the father-in-law and mother-in-law of the injured, Anuradha. The F.I.R. has been lodged after about six months of the occurrence, on 28.08.2026. Learned counsel has stated that the son of the applicants had filed a marriage petition under Section 9 of the Hindu Marriage Act, 1955 and only to avoid the restitution of conjugal rights through the order of the Court, this false First Information Report has been lodged. The applicants have no criminal antecedents.

4. Learned A.G.A. has opposed the prayer and has contended that specific allegations have been made against the applicants. The injured has suffered a miscarriage due to the torture meted out by the applicants and the other accused. No indulgence may be granted to the applicants.

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

6. The F.I.R. has been lodged with an excessive delay of almost six months. No plausible explanation has been given for the delay in lodging of the F.I.R. There is no medical examination report indicating physical assault. The claim of the applicants is that the victim fell down the stairs while talking on a mobile phone and it was the applicants who had got her admitted in the hospital and a huge sum of money was spent on her treatment. The victim is then stated to have refused to come back to her matrimonial home which led to the filing of the petition for restitution of conjugal rights and allegedly to thwart the same, the F.I.R. came to be lodged.

7. Prima facie, the arguments raised by the Learned counsel for the applicants have some substance. Taking into account the relationship of the applicants with the injured and the other attending circumstances including the lack of criminal antecedents, I deem it appropriate to enlarge applicants on anticipatory bail.

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-**Rakesh Singh Raghav** and **Manju**, they shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing of their personal bond and surety 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.

(Rajiv Lochan Shukla,J.)

November 5, 2026
A. Pandey

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