

Court No. - 69

Case :- CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 4248 of 2025

Applicant :- Pankaj Kumar

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Arjun Singh Solanki

Counsel for Opposite Party :- G.A.

Hon'ble Vivek Varma,J.

1. Supplementary affidavit filed by counsel for the applicant is taken on record.
2. Heard counsel for the applicant and Sri Neeraj Kumar Sharma, learned A.G.A. for the State- opposite party and perused the material placed on record.
3. This application has been filed seeking anticipatory bail in Case Crime No. 70 of 2025, under Sections 307, 331(4), 317(2), 317(5) of B.N.S. and Sections 9/25 of Arms Act, Police Station-Patiyali, District- Kasganj.
4. Counsel for the applicant submits that the applicant was not named in the first information report and has been falsely implicated in the instant case. The name of the applicant was disclosed by co-accused Abhay Pratap @ Lukka, Bablu, Anmol and Bhola in police custody. The said statements, insofar as they implicate the applicant, are unreliable. At this stage, there is no credible evidence to link the applicant with the offence. Criminal history of the applicant has been explained in para no.20 of the bail application and para no.3 of the supplementary affidavit. It is next submitted that the investigation is going on and the applicant has apprehension of his arrest in the above mentioned case.
5. Learned A.G.A. has opposed the prayer for anticipatory bail but could not satisfactorily dispute the aforesaid submissions from the record.
6. Counsel for the applicant further submits that the application for grant of anticipatory bail be confined only till the submission of police report.
7. Having regard to the submissions made by learned counsel for the applicant, considering the nature of accusations, antecedents of the applicant and the fact that the applicant was not named in the first information report, the name of the applicant was disclosed by co-

accused Abhay Pratap @ Lukka, Bablu, Anmol and Bhola in police custody, at this stage there is no substantive evidence to link the applicant with the offence, without commenting on merits of the case, I am of the opinion that the applicant is entitled to be enlarged on anticipatory bail till the submission of police report.

8. In the event of arrest, the applicant- **Pankaj Kumar** be released on anticipatory bail in the aforesaid case crime till the submission of police report, if any, under Section 193(3) B.N.S.S., on furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Station House Officer of the police station 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 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 and if he has passport, the same shall be deposited by him, before the S.S.P./S.P. concerned.

9. In default of any of the conditions, the Investigating Officer is at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant.

10. The Investigating Officer is directed to conclude the investigation of the present case in accordance with law expeditiously preferably within a period of three months from the date of production of a copy of this order independently without being prejudiced by any observation made by this Court while considering and deciding the present anticipatory bail application of the applicant.

11. The applicant is directed to produce a copy of this order before the S.S.P./S.P. concerned within ten days from today, who shall ensure the compliance of present order.

12. The application stands disposed of.

Order Date :- 30.5.2025

Manish Kr