



HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 8443 of 2026**

Pinku

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Eishan Mehta
Counsel for Opposite Party(s)	:	G.A.

connected with

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 8445 of 2026**

Naresh Sharma

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Eishan Mehta
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

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.409 of 2026, under Sections 21, 22 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985, P.S. - Jait, District- Mathura, with a prayer to enlarge them on anticipatory bail as the applicants apprehend their arrest in the above-mentioned case.
3. The Learned counsel for the applicants has by means of a supplementary affidavit filed CCTV footage in a pen drive, in which, the police has supposedly taken a black coloured bag from the house of the applicants and it is the said bag which has later on been shown to have

been recovered by the police from a Scorpio vehicle and 358 grams of Alprazolam and Rs.1,95,000/- has been recovered. The Learned counsel for the applicants states that the money kept in the house of the applicants was taken by the police, misappropriated and part of it has been used to falsely implicate the applicants. The police has done this only to increase the criminal history of the applicants as the applicant- Pinku has a previous criminal history of 8 other cases and the applicant - Naresh Sharma has a criminal history of 3 other cases.

4. The Learned A.G.A. has opposed the prayer for grant of anticipatory bail and has stated that a huge recovery has been made from the possession of the accused Javed and the applicant and the other accused were able to make good their escape. They may not be considered for grant of anticipatory bail as they may be required for custodial interrogation.

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

6. The applicant has annexed photos taken from the CCTV footage as annexure No.2 to the affidavit accompanying the anticipatory bail application. The online newspapers also appear to have reported this incident. *Prima facie*, in the opinion of the Court, a false recovery has been shown against the applicants.

7. This is a very serious matter and it would be appropriate to call for the personal presence and affidavit of the Superintendent of Police, Mathura, who shall give a specific parawise reply to the assertions made on affidavit before this Court including the supplementary affidavit.

8. Put up *as fresh on 01.09.2026* for further hearing **at 10 A.M.**

9. Till the next date of listing, in the event of arrest of the applicants- **Pinku and Naresh Sharma**, involved in the above-mentioned case, they shall be released on *interim 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 default of any of the conditions, the prosecution shall be at liberty to file appropriate application for cancellation of interim anticipatory bail granted to the applicant.

(Rajiv Lochan Shukla,J.)

August 17, 2026

Sachin