



2026:AHC:198359

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S
482 BNSS No. - 9743 of 2026

Gaurang Brijvasi

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Peeyush Kumar Pathak,
Prateeyush Kumar Pathak
Counsel for Opposite Party(s) : Ashok Kumar Tiwari, G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Learned counsel for the applicant, Learned A.G.A. for the State and Shri Ashok Kumar Tiwari, Learned counsel appearing for the Bar Council of Uttar Pradesh.
2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 368 of 2026, under Sections 318(4), 338, 336(3) and 340(2) of the B.N.S., 2023, Police Station – Civil Lines, District Prayagraj, with a prayer to enlarge him on anticipatory bail, as the applicant apprehends his arrest in the aforesaid case.
3. The Learned counsel for the Bar Council of Uttar Pradesh has produced a letter dated 20.09.2026 in which instructions have been given to the Learned counsel regarding the averments made in the affidavit accompanying the bail application, which is taken on the record. The contention of Shri Tiwari is that the applicant's law degree was sent for verification while renewing the Certificate of Practice. The said document was returned 'unverified'. As the said document was unverified, the First Information Report (FIR) came to be lodged pursuant to the directions given by this Court in the case of Mohammad Kafil Vs. State of U.P., Matter under Article 227 No. 12231 of 2025.

4. Replying to the said contention of the Learned counsel for the Bar Council of Uttar Pradesh, Learned counsel for the applicant has stated that mere non-verification of the document being returned unverified does not automatically lead to a conclusion that the document in question is forged.

5. In the prima facie opinion of the Court, the contention of the Learned counsel for the applicant appears to have substance. The investigation is still in progress and at present there is no definitive reply from the University in question that the applicant's degree is forged or the reason for the document being returned 'unverified'. The offence appears to be related to documentary evidence and the custodial interrogation of the applicant is not required. The applicant has no criminal antecedents and as per the averments made on affidavit the applicant claims not to be in active practice anymore.

6. Taking into account all these facts and circumstances, in the prima facie opinion of the Court, a case for grant of anticipatory bail till submission of police report is made out.

7. The anticipatory bail application of the applicant is **allowed**.

8. In the event of the arrest of the applicant- **Gaurang Brijvasi**, involved in the aforesaid case crime, he shall be released on anticipatory bail, **till submission of police report**, on his furnishing a personal bond and surety 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;

9. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

10. 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.

September 22, 2026
Kushal

(Rajiv Lochan Shukla,J.)