2026:AHC:212000

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 9924 of 2026

Vikrant Tyagi

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s) : Samarth Sinha, Shalini Mishra, Vijay Sinha

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

Court No. - 71

HON'BLE VIVEK KUMAR SINGH, J.

1. Heard Sri Samarth Sinha,l earned counsel for the applicant 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 applicant in Case Crime No.1254 of 2018, under Section 3/7 of Essential Commodities Act, 1955 and Section 43 of the I.T. (Amendment) Act, 2000, Section 66C of I.T. Act and Sections 409, 120B of the I.P.C., Police Station Muradnagar, District Ghaziabad, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the abovementioned case.

3. Learned counsel for the applicant contends that the applicant is a fair price shop agent. The Food Commissioner, Uttar Pradesh had issued a communication to all the District Supply Officers indicating that the fair price shop agents were manipulating the database of the ration card holders by using the EPOS machines. Learned counsel contends that many first information reports had been lodged against various persons pursuant to the said communication of the Food Commissioner. Even in one case of District Ghaziabad, arising out of Case Crime No.1660 of 2018, this Court vide order dated 18.05.2026 passed in NABAIL No.4458 of 2026, was pleased to grant anticipatory bail to the applicant therein. Another case being NABAIL No.5225 of 2026 had been allowed by this Court and the applicants therein, who were also fair price shop agents,

were granted anticipatory bail by this Court. He lastly contends that similarly situated co-accused Aslam Qureshi and Nanak Chand have been granted anticipatory bail by this Court in Criminal Misc. Anticipatory Bail Application u/s 482 BNSS No. 6237 of 2026 and 6234 of 2026 respectively. The applicant has no criminal antecedents.

4. Learned A.G.A. has opposed the prayer for grant of anticipatory bail and has contended that the applicant has manipulated the database from their EPOS machines and has committed fraud and misappropriated the foodgrains that were meant for eligible persons holding valid ration cards. The learned A.G.A., however, has not been able to dispute the factual submissions made by learned counsel for the applicant.

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

6. The applicant has no criminal antecedents. Similarly situated persons have been considered for grant of anticipatory bail. The investigation has been pending for the past eight years and the applicant has not yet been arrested. In the prima facie opinion of the Court, the applicant has made out a case for anticipatory bail.

7. Taking into account the entire facts and circumstances of the case, I deem it appropriate to enlarge applicant on anticipatory bail.

8. In view of the above, the anticipatory bail application of the applicant is allowed.

9. In the event of the arrest of the applicant-**Vikrant Tyagi** he shall be released forthwith in the aforesaid case crime on anticipatory bail on 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. that 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. that the applicant shall not leave India without the previous permission of the Court;

iv. that 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.

(Vivek Kumar Singh,J.)

October 9, 2026
Lalit Shukla

Digitally signed by :-
LALIT KUMAR SHUKLA
High Court of Judicature at Allahabad