

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU
(Through Virtual Mode)**

**Bail App No. 87/2025 c/w
Bail App No. 88/2025
Bail App No. 108/2025
CRM(M) No. 272/2025**

Mohd Bashir & Ors.

.....Appellant(s)/Petitioner(s)

Through: M/S M. K. Sharma, Nitin Bhasin & Saqlain
Malik, Advocates.

Vs

U.T of J&K & Ors.

..... Respondent(s)

Through: Mr. Eishaan Dadhichi, GA.

CORAM: HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE

**ORDER
(14.11.2025)**

Bail App Nos. 87/2025, 88/2025 & 108/2025

- 01.** Petitioners, namely, Mohd Bashir, Mushtaq Ahmed, Mohd, Taj, Mohd Aslam, Mohammad Rafiq, Farida Bi, Imran Khan & Mohd Ashaq in all the above bail applications, alleging their false implication, seek grant of bail in a case registered at Police Station Mandi, Poonch vide FIR No. 12/2025 on 03.03.2025, for commission of offences punishable under Sections 87 and 49 of BNS, with the allegation that they had abetted one, namely, Altaf Hussain, who happens to be their relative, who have kidnapped a major lady, mother of four children, whereas, the fact of the matter is that she had eloped with the main accused out of her own free will and the petitioners had no role at all.
- 02.** It has been alleged that the petitioners have been implicated in this false case by the complainant and their arrest in the case shall be detrimental to their interest as some of them are working in Government Jobs.

03. While issuing notices in all the three bail applications separately on 27.03.2025, 02.04.2025 & 21.04.2025, the petitioners were admitted to interim bail in anticipation of their arrest.
04. The respondents-Union Territory had filed the objections in Bail App Nos. 87/2025 & 88/2025, however, the same has not been filed in Bail App No. 108/2025. Learned counsel for the respondents-Union Territory submits that objections filed in the clubbed bail applications be also treated as objections in Bail App. No. 108/2025. *Ordered accordingly.*
05. The respondent-Investigating Agency, has filed the objections stating that one, Mohd Ramzan S/O Khadam Hussain, R/O Hari Nerian, Tehsil Haveli, District Poonch moved a written complaint on 20.02.2025, alleging that one, Altaf Hussain, with the connivance of eight other persons, had kidnapped his wife, as such, a case was registered vide FIR No. 12/2025 for the commission of offences punishable under Sections 87/48 BNS. Upon investigation, it was found that besides the main accused Altaf Hussain, he had been abetted in the commission of offence by some other persons, including petitioners herein and that the case is under further investigation.
06. Heard and considered.
07. On perusal of the objections filed by the Investigating Agency, it has been found that all the petitioners have been alleged to have committed offences punishable under Sections 87 (Kidnapping) and 49 (Abetment) of BNS and each of these offences are punishable with imprisonment which may extend to 10 years and fine.
08. Having regard to the allegations and objections filed by the Investigating Agency and considering the nature of the offences with which the

petitioners have been charged, this Court is of the considered opinion that the petitioners are entitled to be admitted to bail in anticipation of their arrest, particularly so when they are not the main accused but only are alleged to have abetted the offence. It will be in the interest of justice that the plea for grant of bail is not declined by this Court.

09. In this view of the matter, all the three bail applications are allowed and the petitioners are admitted to bail in anticipation of their arrest, subject to following conditions:-

- (i) That they shall furnish bail and personal bonds to the tune of Rs.50,000/- each to the satisfaction of the SHO concerned Police Station.
- (ii) That they shall not leave the territorial jurisdiction of the UT of J&K without prior permission from this Court.
- (iii) That they shall not hamper the investigation and tamper with the prosecution evidence in any manner whatsoever.

10. All the bail applications are, '*disposed of*' along with connected application(s), if any.

CRM(M) No. 272/2025

This petition is ordered to be segregated and be listed before the appropriate Bench on **15.12.2025**.

(M A CHOWDHARY)
JUDGE

Jammu
14.11.2025
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