



2025:AHC:175626

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 33459 of 2025

Sajma Khatoon And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Gaurav Kumar Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Vikas Yadav, Advocate holding brief of Sri Gaurav Kumar Shukla, learned counsel for the applicants as well as Sri Anit Kumar Shukla, learned A.G.A. for the State and perused the material placed on record.
3. Applicants seek bail in Case Crime No.185 of 2025, under Sections 118(1), 115(2), 351(3), 191(2), 190, 109(1) B.N.S., Police Station- Sohna, District- Basti, during the pendency of trial.
4. As per prosecution story, co-accused person Sahil is stated to have outraged the modesty of the sister of the informant on 17.8.2025. The brother of the informant went to complain about the said matter to the house of the said co-accused person Sahil, whereby he is stated to have assaulted him with sharp edged weapon causing grievous injuries to his hand.
5. Learned counsel for the applicants has argued that the applicants are absolutely innocent and have been falsely implicated in the present case. They have nothing to do with the said offence. The FIR is delayed as no time of offence is mentioned in it. The role of assaulting with sharp edged weapon has been assigned to co-accused person Sahil only.
6. It is further argued by learned counsel for the applicants that the applicants are lady members of the family and have been falsely implicated in the instant case. There is no criminal antecedent of the applicants. The

applicants are languishing in jail since 18.8.2025 and they are ready to cooperate with trial. In case, the applicants are released on bail, they will not misuse the liberty of bail.

7. Per contra, learned A.G.A. has vehemently opposed the bail application.

8. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the fact that no time of offence is mentioned in the FIR and the applicants having not been assigned the particular role of causing injuries to the injured person, and without expressing any opinion on the merits of the case, *prima facie*, the Court is of the view that the applicants have made out a case for bail. The bail application is ***allowed***.

9. Let the applicants- **Sajma Khatoon** and **Naseema Khatoon** who are involved in aforementioned case crime be released on bail on their furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

- (i) The applicants shall not tamper with evidence during trial.
- (ii) The applicants shall not pressurize/intimidate the prosecution witnesses.
- (iii) The applicants shall appear before the trial court on the date fixed.

10. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

11. It is made clear that observations made in granting bail to the applicants shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

September 26, 2025

Vikas Verma