2025:AHC:175069

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 8006 of 2025

Kamil

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Mohammad Waseem
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE VIVEK VARMA, J.

1. Heard Ms. Zulekha Begum, Advocate, holding brief of Mohammad Waseem, learned counsel for the applicant as well as Sri Neeraj Kumar Sharma, learned AGA for the State, and perused the material placed on record.

2. This application has been filed with the prayer to grant anticipatory bail to the applicant in Case Crime No. 154 of 2025, under Sections 191(2), 191(3), 190, 115(2), 352, 351(2), 333, 125, 109(2) B.N.S., Police Station Sirauli, District Bareilly.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. As per the first information report, the applicant along with thirteen named accused and ten unknown persons is alleged to have assaulted the son of informant and other family members. In the alleged incident, ten persons received injuries. According to the medical reports, injury received by nine persons were simple in nature. Injured Saurav received four injuries. The injuries no. 1, 2 and 3 were simple in nature, whereas injury no.4 was a fracture on his right hand. It is contended that the injury no. 4 was although grievous in nature but not dangerous to life. The nature of the injury shows that there was no intent to murder. A vague and general role has been assigned to the applicant. At this stage there is no credible evidence to link the applicant with the offence. Further, the co-accused Sattam @ Sattan Beg, Nadeem Beg and Puttan Beg have been granted anticipatory bail till submission of police report by this Court vide

order dated 23.07.2025 passed in Criminal Misc. Anticipatory Bail Application No. 5778 of 2025 (Sattam @ Sattan Beg and 2 others vs. State of U.P. and Another). The applicant claims parity. The applicant has no criminal antecedents. The investigation is still pending. It is next submitted that the applicant has apprehension of his arrest and in case, the applicant is granted anticipatory bail, he will not misuse the said liberty.

4. Learned AGA opposed the prayer for anticipatory bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Learned counsel for the applicant further submits that the application for grant of anticipatory bail be confined only till the submission of police report.

6. Having regard to the submissions made, considering the nature of accusations and antecedents of the applicant, in particular the fact, that in the alleged incident, ten persons received injuries; as per the medical reports, injury received by nine persons were simple in nature; injured Saurav received four injuries; the injuries no. 1, 2 and 3 were simple in nature, whereas injury no.4, which was a fracture on his right hand, the said injury was although grievous in nature but not dangerous to life; a vague and general role has been assigned to the applicant; at this stage, there is no substantive evidence to link the applicant with the offence; further, the co-accused Sattam @ Sattan Beg, Nadeem Beg and Puttan Beg have been granted anticipatory bail till submission of police report by this Court; without commenting on merits of the case, I am of the opinion that the applicant is entitled to be enlarged on anticipatory bail till the submission of police report.

7. In the event of arrest, the applicant- **Kamil** be released on anticipatory bail in the aforesaid case crime till the submission of police report, if any, under Section 193 (3) BNSS, on furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Station House Officer of the police station 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 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 and if he has passport, the same shall be deposited by him before the S.S.P./S.P. concerned.

8. In default of any of the conditions, the Investigating Officer is at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicants.

9. The Investigating Officer is directed to conclude the investigation of the present case in accordance with law expeditiously preferably within a period of three months from the date of production of a copy of this order independently without being prejudiced by any observation made by this Court while considering and deciding the present anticipatory bail application of the applicant.

10. The applicant is directed to produce a copy of this order before the S.S.P./S.P. concerned within ten days from today, who shall ensure the compliance of present order.

11. The application stands disposed of.

(Vivek Varma,J.)

September 26, 2025
Sachin Mishra

Digitally signed by :-
SACHIN MISHRA
High Court of Judicature at Allahabad