2026:AHC:187892

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 9160 of 2026

Choti

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Najam Uz Zaman Khan
Counsel for Opposite Party(s)	:	G.A., Shiv Pratap Singh Chauhan

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicant, the Learned A.G.A. for the State and perused the record.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.286 of 2026, under Section 191(2), 191(3), 115(2), 352, 351(3), 333, 103(1), 190 BNS, Police Station- Tappal, District Aligarh, with a prayer to enlarge her on anticipatory bail as the applicant apprehends her arrest in the above-mentioned case.

3. Learned counsel for the applicant has contended that a general role has been assigned to the applicant of throwing brickbats along with the other named accused, which led to the deceased sustaining head injuries, who expired after four days of occurrence.

4. Learned counsel for the applicant has stated that out of the six nominated accused in the FIR, co-accused Gulzar and Arfeen were taken out of the investigation, as they were not found to be present on the spot.

5. Learned counsel has further contended that there is a cross-version and that the applicant's side has also received injuries. There is no explanation with respect to the injuries sustained by the applicant's side. The applicant has no criminal antecedents.

6. Learned AGA and learned counsel for the informant have opposed the prayer for bail.

7. Learned counsel for the informant has stated that specific allegations have been made against the applicant of participating in the crime and throwing brickbats at the deceased. The deceased sustained serious head injuries, which led to her death. Learned counsel has further submitted that even in the cross-version, the presence of the applicant is established at the time of occurrence.

8. I have considered the submissions made by learned counsel for the parties.

9. From the perusal of the material on record, it appears that there are specific allegations against the applicant. At the present stage, the disputed defence of the applicant cannot be taken into consideration.

10. This is a case where the applicant is seeking anticipatory bail. Once the presence of the applicant at the spot is admitted, there are specific allegations against the applicant, and the offence in question is a heinous crime, in which one person has lost her life. No case for grant of anticipatory bail is made out.

11. The applicant may appear before the concerned court and apply for regular bail, which shall be considered and disposed of without being influenced by any of the observations made by this Court in the present order.

12. However, taking note of the fact that the applicant is a young lady having no criminal antecedents, it would be appropriate to grant some interim protection to enable her to appear before the concerned court and apply for regular bail for a period of four weeks from today.

13. For a period of four weeks from today, no coercive action shall be taken against the applicant pursuant to the above-mentioned case.

14. In view of the aforesaid observations, application stands ***disposed of***.

(Rajiv Lochan Shukla,J.)

September 8, 2026
S.A.

Digitally signed by :-
SALMAN AHMAD
High Court of Judicature at Allahabad