IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

Bail App No. 170/2026
CrlM No. 1480/2026

Pronounced on : 10.08.2026
Uploaded on : 10.08.2026

Mohd. Abbas
S/O Shakir Din Sheikh
R/O Village Ashmar, Famrote
Tehsil Gool District Ramban
Jammu & Kashmir.

....Petitioners

Through:-
Mr. Azmat Ullah Parihar, Adv.

V/S

UT of J&K through
SHO Police Station, Gool
District Ramban.

.....Respondents

Through:- Mr. Eishaan Dadhichi, GA.

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

ORDER
10.08.2026

1. Petitioner has moved this application seeking grant of bail in anticipation of his arrest in a case registered vide FIR No. 34/2026 having been unsuccessful before the jurisdictional Sessions Court.

2. Learned counsel for the petitioner has vehemently argued that initially the petitioner was granted bail by the Sessions Court in anticipation of his arrest vide order dated 27.06.2026, however, with the addition of an offence under Section 89 BNS, he again applied for the grant of bail in anticipation of his arrest, which had

been declined by the Sessions Court vide order dated 29.07.2026.

3. In support of his contention, learned counsel for the petitioner has mentioned that medical record does not support the commission of the offence punishable under section 89 BNS at the time of registration of the FIR, as such, the petitioner is entitled to be admitted to bail in anticipation of his arrest.

4. The offence under Section 89 BNS is with regard to causing miscarriage of a pregnant woman without her consent and is punishable with sentence of life imprisonment or with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine.

5. Petitioner has been accused to have assaulted, along with other co-accused, applicant Manier Begum and one Shahnaz Begum during trespassing their land in the intervening night of 17th and 18th of June, 2026, making attempts of rape, outrage their modesty and in the process Shahnaz Begum suffered miscarriage of child in her womb, on being hit with fists and blows on her abdomen.

6. In view of the gravity of the offence and the serious allegations against the petitioner, this Court is of the considered opinion that the petitioner is not entitled to

HIGH COURT OF JAMMU & KASHMIR AND LADAKH

be admitted to bail in anticipation of his arrest and the court below has rightly held that he is not entitled to grant of bail in anticipation of his arrest.

7. The petition is, accordingly, **dismissed**, in limine.

(M A CHOWDHARY)
JUDGE

JAMMU
10.08.2026
Naresh/Secy.

HIGH COURT
OF JAMMU & KASHMIR AND LADAKH
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Naresh Kumar
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I attest to the accuracy and
integrity of this document