2026:AHC:209849

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35685 of 2026

Shahzad

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ankit Srivastava, Ch. Dil Nisar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Heard Sri Chaudhary Dilnisar, learned counsel for accused applicant and learned A.G.A. for the State.

2. The present bail application has been moved by the applicant accused-**Shahzad** to enlarge him on bail in Case Crime No. 183 of 2026, under Sections 318(4), 336(3), 338, 340(2), 61(2) of BNS, P.S.- Sadar Bazar, District- Saharnapur during the pendency of trial.

3. It is the contention of learned counsel for accused applicant that the accused applicant has been falsely implicated in FIR dated 9.4.2026 lodged by Smt. Parveen the informant against seven named and one anonymous persons including the accused applicant with the allegation that he has purchased a property belonging to her father through a sham sale deed wherein one of the sellers namely, Smt. Shahista has manufactured forged documents. It is further contended that the property, which has been subjected to sale belongs to Ibrahim, who initially married Hamida and subsequently to Gulsana the co-accused. Later on, Hamida married to Julfan and the informant Parveen, who claimed herself to be a daughter of Ibrahim is in actuality the daughter of Julfan. It is further contended that co-accused Shahista has already been granted bail by the co-ordinate Bench of this Court. There is no denial as to the status of Smt. Gulsana, who had married to Ibrahim. It is further contended that the accused applicant is a bona fide purchaser for value. The FIR is lodged through an application moved under Section 173(4) BNSS. The

sale deed is of the year 2022-23. The FIR is delayed by four years. The investigation is continuing. He is co-operating in the investigation. The applicant has six cases criminal history, wherein, final report has been submitted in all the cases. The applicant is languishing in jail since 28.7.2026. He seeks enlargement of accused on bail.

4. Learned A.G.A. has opposed the bail application.

5. This Court has taken into consideration the rival submissions made by learned counsel for the parties and perused the record.

6. Considering that the accused applicant has apparently purchased the property from legal heirs of Ibrahim and considering the family tree , the accused applicant is entitled to be enlarged on bail.

7. Hence, without touching merit of the case, the bail application is **allowed**.

8. The accused/applicant be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of court concerned in view of observation made by the Supreme Court in its dictums of **Girish Gandhi Vs. State of Uttar Pradesh [(2024) 10 SCC 674] and Policy Strategy for grant of bail in re [(2024)10SCC 685].**

9. The accused-applicant shall cooperate in judicial process for fair and speedy disposal.

(Avnish Saxena,J.)

October 7, 2026
Krishna*

Digitally signed by :-
KRISHNA KUMAR
High Court of Judicature at Allahabad