HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 10531 of 2026

Aas Mohammad

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Rahul Kumar Sharma
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant and Sri Shashank Shekhar Pandey, learned AGA for the State- opposite party, and perused the material available on record.

2. This application has been filed seeking anticipatory bail in Case Crime No. 327 of 2023, under Sections 380, 457 I.P.C., Police Station Hathras Gate, District Hathras.

3. Learned counsel for the applicant submits that the applicant was not named in the first information report and has been falsely implicated in the present case. The name of the applicant was disclosed by co-accused Ramzan while in police custody. The said statement insofar as it implicates the applicant is unreliable. During the course of investigation, the applicant was granted interim anticipatory bail by this court vide order dated 11.12.2023 passed in Criminal Misc. Anticipatory Bail Application U/S 482 BNSS No. 13646 of 2023, Aas Mohammad v. State of U.P. and another. The said application was dismissed as withdrawn on 18.02.2025. Investigation has been completed. Charge-sheet has been filed. No custodial interrogation is required. The applicant has cooperated in the investigation. The applicant has been summoned by the court concerned. The applicant has no criminal antecedents. The applicant has apprehension of his arrest in the above mentioned case.

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

5. Having regard to the submissions made, considering the nature of accusations and antecedents of the applicant and, in particular, the fact that the applicant was not named in the first information report and his name was disclosed by co-accused Ramzan while in police custody; during the course of investigation the applicant was granted anticipatory bail by this court; investigation has been completed and charge-sheet has been filed; no custodial interrogation is required; the applicant has cooperated in the investigation; and, no violation of conditions have been pointed out by the learned A.G.A., without commenting on merits of the case, I am of the opinion that the applicant is entitled to be enlarged on anticipatory bail.

6. In the event of arrest, the applicant- Aas Mohammad, involved in the aforesaid case crime, be released on anticipatory bail during pendency of trial, on furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall make himself available on each and every date fixed in the matter by the court concerned;

(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;

(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 concerned court.

7. Further, in default of any of the conditions, the court concerned is at liberty to pass appropriate orders for enforcing and compelling the same.

8. The application stands disposed of.

October 27, 2026
SKT/-

(Vivek Varma,J.)

Digitally signed by :-
SHIVA KANT TIWARI
High Court of Judicature at Allahabad