2026:AHC:211114

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 10565 of 2026

Shahbaz

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Mashaluddin Shah
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

HON'BLE VIVEK KUMAR SINGH, J.

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

2. The present application has been filed on behalf of the applicant in Case Crime No.367 of 2025, under Sections 333, 115(2), 352 and 351(2) of the BNS, Police Station Ramgarh, District Firozabad, with a prayer to grant him anticipatory bail.

3. Learned counsel for the applicant submits that the applicant is absolutely innocent and has been falsely implicated in the present case; he has nothing to do with the alleged offence in spite of that the police are trying to arrest the applicant. It is further submitted that the applicant was not arrested during the course of investigation and the chargesheet was submitted against him whereupon the learned court concerned took cognizance of offence. The applicant appear before the court concerned and he was enlarged on interim bail by the court concerned vide order dated 03.02.2026. On 28.02.2026, the applicant could not appear before the court concerned, therefore, Non-Bailable Warrant was issued against the applicant. It is further contended that the applicant would ready to appear the court concerned on the date fixed but he has apprehension that he would be sent to jail in pursuance of the Non-Bailable Warrant dated 28.02.2026 passed by the learned court concerned. He however, prays that some protection may be granted to the applicant.

4. It is manifest from perusal of the order sheet appended alongwith the application that the interim bail granted by the court concerned has not been cancelled or recalled. Only Non-Bailable Warrants were issued by the court concerned on 28.02.2026, 03.04.20260, 01.05.2026, 22.06.2026 and 15.08.2026.

5. In view of the facts of the case, this Court deems it fit that non bailable warrant issued against the applicant shall be kept in abeyance for a period of three weeks and applicant shall appear before the court concerned within the time fixed by this Court. If, the applicant appears before the court concerned, non bailable warrant shall not be further executed, and the learned trial court is directed to dispose of the bail application of the applicant in view of the law laid down by this Court as well as by the Hon'ble Apex Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation, reported in 2021 (10) SCC 773.**

6. However, if the applicant fails to appear or participate in the trial proceeding within the time fixed by this Court, non bailable warrant shall be executed against the applicant without delay.

7. With the aforesaid observations/directions, the present application is disposed of.

(Vivek Kumar Singh,J.)

October 7, 2026
Nitendra

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