HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11128 of 2026

Shamim

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Mohd. Jamshed Khan
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

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.99 of 2026, under Sections 191(2), 191(3), 190, 115(2), 109(1), 352 and 351(3) BNS, P.S. - Dilari, District- Moradabad, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case.

3. Learned counsel for the applicant has contended that the applicant has been falsely implicated in the present case. The FIR has been lodged against the applicant and seven other named accused with general allegations. There are cross cases and the accused Asgar has lodged an FIR which has been registered as Case Crime No. 100 of 2026. Learned counsel has further submitted that three persons from the applicant side have also received injuries. Learned counsel has further submitted that none of the injuries supposedly received by the injured have been opined to be dangerous to life. The applicant has no criminal antecedents.

4. Learned A.G.A. has opposed the prayer for grant of anticipatory bail but does not dispute the fact that both parties have received injuries nor the fact that there are cross cases. Learned A.G.A. has contended that one injured Jafar has received an incised wound on the head which has been opined by the Doctor to be a grievous injury.

5. I have considered the submissions made by the Learned counsels for the parties.

6. There are cross cases. Both the sides claim injuries. The applicant has not been assigned any specific role. The FIRs have been lodged one after the other. Taking note of the entire facts and circumstances of the case, the number of accused nominated in the FIR and the number and nature of injuries received by the injured, over implication or false implication of the applicant cannot be ruled out.

7. Taking into account all the facts and circumstances of the case and without expressing any opinion on the merits of the case, I deem it fit to enlarge the applicant on anticipatory bail.

8. In view of the above, the anticipatory bail application of the applicant is **allowed**.

9. In the event of the arrest of the applicant **Shamim**, he shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and surety each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned with the following conditions:-

i. the applicant shall make himself available for interrogation by a police officer as and when required;

ii. that 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 him from disclosing such facts to the Court or to any police officer;

iii. that the applicant shall not leave India without the previous

permission of the Court;

iv. that the applicant shall not pressurize/intimidate the prosecution witness;

10. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

11. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

October 24, 2026
Sachin

(Rajiv Lochan Shukla,J.)

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