HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11112 of 2026

Azizur Rahman @ Rahman

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s) : Sayeed Saif Ullah, Sufia Saba
Counsel for Opposite Party(s) : Abhishek Kumar, Astha Vashishtha, G.A., Manvendra Singh

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Court No. - 70

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicant, the Learned A.G.A. for the State, Sri Manvendra Singh, learned counsel for the informant and perused the record.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.106 of 2026, under Sections 109(1), 115(2), 352, 351(3), 3(5) BNS, Police Station- Nagal, District Saharanpur, 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 although the applicant has been named in the F.I.R., the specific role of assaulting the injured Nafees with an iron rod has been assigned to the co-accused Faizan and the role of assaulting the injured Rehman with a knife has been assigned to the co-accused Zulfikar.

4. Learned counsel has further submitted that both the injured have received one injury each. The injury sustained by Nafees is stated to be a lacerated wound with traumatic swelling on the right side of the head and in the X-ray, a fracture of the right parietal bone was found. The injured Rehman was similarly found to have sustained a lacerated wound below the right eye with an underlying fracture of the maxillary bone.

5. Learned counsel states that no injury caused by a sharp-edged weapon

was found on the person of either injured. He further argues that in view of the fact that both the injured persons have sustained only one injury each and no other specific overt act has been assigned to the applicant, the involvement of the applicant in the present occurrence is doubtful. The applicant has a criminal history of one other case but is not a previous convict.

6. Shri Manvendra Singh, learned counsel for the informant has opposed the prayer for bail and contended that applicant and the co-accused persons jointly participated in the occurrence. Although specific roles have been assigned to the co-accused Faizan and Zulfikar in the F.I.R. A general role has been assigned to all the accused persons in the statements of the injured witnesses.

7. Learned counsel for the informant and learned A.G.A. could not dispute the explanation given by learned counsel for the applicant with respect to his criminal antecedents.

8. I have considered the submissions made by learned counsel for the parties.

9. The two injuries found on the persons of the injured have been specifically assigned to the co-accused Faizan and Zulfikar. Faizan and Zeeshan appear to be real brothers, whereas the applicant Rehman and Zulfikar are also stated to be related to the co-accused Faizan and Zeeshan. From the averments made in the F.I.R., the statements of the injured witnesses, the number and nature of the injuries found during the medical examination of the injured persons as well as the number of accused persons nominated in the F.I.R., the possibility of over-implication or false implication of the applicant cannot be ruled out. The case of the applicant is distinguishable from that of the co-accused Faizan and Zulfikar.

10. 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.

11. In view of the above, the anticipatory bail application of the applicant

is allowed.

12. In the event of the arrest of the applicant **Azizur Rahman @ Rahman**, 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;

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

14. 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.

(Rajiv Lochan Shukla,J.)

October 24, 2026
S.A.

Digitally signed by :-
SALMAN AHMAD
High Court of Judicature at Allahabad