2026:AHC:227178

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11397 of 2026

Eram Bano

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Janardan Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Learned counsel for the applicant and Learned A.G.A. for the State as well as perused the record.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.259 of 2026, under Sections 3/5/8 U.P. Prevention of Cow Slaughter Act and Sections 4/25 Arms Act, Police Station Nizamabad, District Azamgarh, with a prayer to enlarge her on anticipatory bail as the applicant apprehends her arrest in the abovementioned case.

3. Learned counsel for the applicant has contended that as per the averments made in the FIR, the allegations are that one Zahid had purchased a cow and had slaughtered the cow and was selling the meat of the cow. On this information, the police supposedly raided the place of incident and is said to have recovered about 75 Kgs. of meat, said to have been of cow or its progeny, an iron chopper, and an electric weighing machine. Some other material is also stated to have been recovered by the police. Learned counsel for the applicant has contended that the said slaughter of the cow was allegedly being done, as per the police information, in the house of the applicant and the other co-accused. Learned counsel for the applicant has contended that the husband of the applicant is a butcher by profession. The meat is said to have been recovered, but there is no evidence to indicate that the said meat was of a cow or its progeny. Nothing has been recovered to indicate that the meat was of a cow. The applicant has been implicated along with her husband, brother-in-law and sister-in-law. Similarly situated co-

accused Shajiya Bano has been granted anticipatory bail by this Court in NABAIL No.11381 of 2026. The applicant has no criminal antecedents.

4. Learned A.G.A. for the State has opposed the prayer for anticipatory bail, but could not dispute the fact that the applicant has no criminal antecedents.

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

6. There is no allegation of the applicant or the other named accused indulging in the slaughtering of the alleged cow. The husband of the applicant is stated to be a butcher and the meat recovered has not been determined to be that of cow or its progeny. Even otherwise, as per the averments made in the FIR, the slaughter is attributed to the co-accused Zahid, who had supposedly purchased a cow and a calf from one Fariyad son of Maqbool on the pretext of buying the cow for milk. The case of the applicant is distinguishable from the case of the co-accused Zahid. Similarly situated co-accused Shajiya Bano has been granted anticipatory bail by this Court. The applicant has no criminal history.

7. Taking into account the facts and circumstances of the case, I deem it appropriate to enlarge 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- **Eram Bano**, she shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and surety to the satisfaction of the Station House Officer of the police station/Court concerned with the following conditions:-

i. the applicant shall make herself 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 her 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.

November 2, 2026
Kushal

(Rajiv Lochan Shukla,J.)

Digitally signed by :-
KUSHAL AGRAWAL
High Court of Judicature at Allahabad