2026:AHC:227745

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11483 of 2026

Shahwez Khan

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Farid Ahmad
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. 140 of 2026, under Sections 191(2), 191(3), 190, 115(2), 352, 109(1) of BNS, Police Station- Sambhal, District - Sambhal, 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 was not named in the FIR. The FIR has been lodged against eleven named accused and some unknown persons. The applicant's name surfaced during the investigation. Out of the four injured, none of the injuries received by the injured can be categorized to be dangerous to life. Learned counsel has further submitted that the applicant has no criminal antecedents.

4. The Learned A.G.A. has opposed the prayer for grant of anticipatory bail, but does not dispute the factual submissions made by the Learned counsel for the applicant.

5. I have considered the submissions made by the Learned counsel for the parties and perused the material brought on the record.

6. Applicant is not named in the FIR, which names eleven accused and some unknown persons. None of the injured are stated to have received any injury which may be considered to be dangerous to life. Applicant has no criminal antecedents. Similarly situated co-accused Moazzam @ Maozzam has been granted anticipatory bail by this Court in NABAIL No. 8351 of 2026. The case of the applicant stands on a similar footing.

7. Taking into account all the facts and circumstances of the case, in view of

the number of accused nominated in the FIR, the nature of injuries sustained, and the delayed involvement of the applicant in 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 -**Shahwez Khan**, 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.

November 2, 2026
Sartaj

(Rajiv Lochan Shukla,J.)

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