2026:AHC:231676

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11733 of 2026

Nasreen Begum

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Amit Kumar Srivastava
Counsel for Opposite Party(s)	:	G.A.

With

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11736 of 2026

Babu Ansari

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Court No. - 70

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned Counsel for the applicants, 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.467 of 2026, under Sections 318(4), 338, 336(2), 340(2), 61(2) BNS, Police Station- Kotwali, District Bareilly, with a prayer to enlarge them on anticipatory bail as the applicant apprehends their arrest in the above-mentioned case.

3. Learned Counsel for the applicant has contended that the applicant Nasreen Begum is 62-years-old lady having no criminal antecedents and is also a heart patient who has recently undergone angioplasty. The applicant Babu Ansari is also an old man aged about 67 years, is partially handicapped, and is suffering from various old age diseases. The FIR has been lodged on the complainant of the son-in-law of the applicant with

the allegation that the applicants and the other accused persons, on the basis of forged documents, obtained Ayushman Cards and availed medical benefits under the Government's health insurance scheme.

4. Learned Counsel for the applicants has contended that there is a matrimonial dispute pending between the applicants' family and her daughter with respect to a property, which led to lodging of FIRs from both sides. The parties have now entered into a compromise, however, the police is trying to arrest the applicants in the present case. The applicants have no criminal antecedents and they may be considered for grant of anticipatory bail.

5. Learned AGA has opposed the prayer for bail and has contended that this is not a case where some matrimonial dispute between the parties had led to the lodging of the FIR. A joint team constituted by the District Magistrate led to the uncovering of conspiracy involving the applicants and the other accused persons in preparing fake Ayushman Cards. The applicants, being direct beneficiary of the forgery, may not be considered for grant of anticipatory bail.

6. I have considered the submissions made by learned Counsel for the parties.

7. The FIR in question has been lodged by the son-in-law on the complaint of the applicants and this fact has not been disputed. The applicant had earlier lodged FIRs against her son-in-law and daughter, which indicates enmity between the parties. Although, there is a recital in the FIR that a joint team constituted under the orders by the District Complaints Redressal Officer led to the submission of a joint report on 02.09.2026, recording that the accused persons were involved in the preparation of fake Ayushman Cards, however, taking into account the attending facts and circumstances of the present case, the old age of the applicant and the peculiar relationship between the applicants and the de facto complainant, on whose application to the District Magistrate, the informant constituted the said joint team and then lodged the FIR, a prima facie case for grant of anticipatory bail is made out.

8. 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 applicants on anticipatory bail.

9. In view of the above, the anticipatory bail applications of the applicants are allowed.

10. In the event of the arrest of the applicant **Nasreen Begum** and **Babu Ansari**, they 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 applicants shall make themselves available for interrogation by a police officer as and when required;

ii. that the applicants 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 applicants shall not leave India without the previous permission of the Court;

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

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

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

(Rajiv Lochan Shukla,J.)

November 5, 2026
S.A.

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