



2026:AHC:181184

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 8198 of 2026

Aslam

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Rishi Kumar Prajapati, Virendra Kumar Maurya
Counsel for Opposite Party(s)	:	G.A., Prashant Ji Pandey

Court No. - 71

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.593 of 2025, under Sections 420, 467, 468, 471, 120B I.P.C., P.S.- Nakud, District- Saharanpur, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case.
3. The Learned counsel for the applicant contends that the First Information Report has been lodged with an excessive delay on the basis of an application under Section 173(4) of the BNSS. The applicant and the other accused had challenged the First Information Report before this Court in **Criminal Misc. Writ Petition No. 1343 of 2026**, in which initially by order dated 9.3.2026, this Court had been pleased to grant interim relief. The said writ petition was later on dismissed as withdrawn with liberty to approach the appropriate Court to avail the appropriate remedy by order dated 23.7.2026. It is thereafter that the applicant had moved for anticipatory bail which has been dismissed by the concerned Court and thus the applicant has filed the present application before this Court. Learned counsel for the applicant has contended that in the meantime a charge-sheet has also been submitted against the applicant and there is no requirement of the applicant for any custodial interrogation or recoveries. Learned counsel for the applicant has contended that there is no criminal history of the applicant.

4. The Learned A.G.A. has opposed the prayer for grant of anticipatory bail and has contended that the applicant and the other accused had concealed the share of one brother and got their own names mutated and thereafter sold the same. The allegation against the accused persons is of concealing the fact that the deceased Manzoor Hasan alias Manzoora had five sons and got the name of only four sons mutated in the revenue records. The applicant, although not the direct beneficiary of the mutation over the property in question, is involved in the said forgery and may not be considered for grant of anticipatory bail. The Learned A.G.A., however, has not been able to point out any criminal history of the applicant.

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

6. *Prima facie*, there appears to be a dispute relating to property of late Manzoor Hasan alias Manzoora. The allegation is of four sons of the late Manzoor Hasan alias Manzoora getting their names mutated in the revenue records and the name of the informant was deliberately concealed. The applicant is stated to be one of the witnesses, who was examined as DW-5 in the case No.374 of 2019 instituted by the informant. It is stated in the FIR that the Tehsildar Nakud held that late Manzoor Hasan @ Manzoora had 5 sons. No proceedings for perjury have been initiated by the concerned Court against the applicant. The offence is related to documentary evidence. A charge-sheet has already been submitted and the applicant is no longer required for any custodial interrogation.

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. The applicant - **Aslam** shall appear before the trial Court within four weeks from today and shall be released on bail on filing his personal bond and surety in the like amount to the satisfaction of the Court concerned with the following conditions:-

- i. The applicant shall remain present before the trial Court on each date fixed unless exempted by the trial Court;
- ii. 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. The applicant shall not leave India without the previous permission of the Court;

iv. 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.

August 31, 2026
Sachin

Rajiv Lochan Shukla,J.)