



2026:AHC:166778

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 7811 of 2026

Smt Sageena

.....Applicant(s)

Versus

State Of U.P. And 2 Others

.....Opposite
Party(s)

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

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.155 of 2026, under Sections 191(1), 191(3), 126(2), 109(1), 352, 121(1), 121(2), 132, 125, 125-A, 125-B of the B.N.S. & Section 7 of the Criminal Law Amendment Act, Police Station- Cholapur, District- Varanasi, with a prayer to enlarge her on anticipatory bail as the applicant apprehends her arrest in the above-mentioned case.
3. The learned counsel for the applicant has contended that the applicant has been named in the First Information Report (FIR) along with ten other named accused and 40-50 unknown persons. General allegations of assault have been made in the FIR, which relates to a mob assaulting police. The police has indiscriminately nominated the accused. The applicant is an old woman aged about 58 years. None of the injured have received any injuries which may be considered to be dangerous to life. Co-accused Sukha Devi has been granted anticipatory bail by this Court in NABAIL No.7597 of 2026. The applicant has no criminal antecedents.
4. The learned A.G.A. for the State has opposed the prayer for grant of anticipatory bail and has contended that six people have been injured in this case, who are police personnel. The police was only performing its duty and the applicant, who was a part of the mob, has brutally assaulted the police. However, the learned A.G.A. has not disputed the fact that no

specific role has been assigned to the applicant nor the fact that she has no criminal history.

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

6. The applicant is an old lady aged about 58 years. No specific role has been assigned to the applicant. The FIR is against 40-50 unknown persons and eleven named persons. Co-accused Sukha Devi has been granted anticipatory bail by this court. In the opinion of the Court, taking into account the number of injured and the number of accused, over-implication cannot be ruled out.

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. In the event of the arrest of the applicant - **Smt. Sageena**, she 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 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.

(Rajiv Lochan Shukla,J.)

August 10, 2026
Kushal