



2026:AHC:170852

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 8708 of 2025**

Mohd Shakir Alias Molavi Shakir

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Shams Tabrez Alam Ansari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE VIVEK KUMAR SINGH, J.

1. Supplementary affidavit filed today is taken on record.
2. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.
3. The applicant- Mohd Shakir Alias Molavi Shakir was granted interim anticipatory bail in the present case by this Court vide order dated 29.10.2025. The said order is quoted herein below:

"1. At the very outset, learned counsel for the applicant prays to make some correction in the prayer clause of the application.

2. Learned counsel for the applicant is permitted to carry out necessary correction in the prayer clause of the application.

3. Heard Sri S.T.A. Ansari, learned counsel for the applicant and Sri B.P. Singh, learned A.G.A. for the State and perused the record.

4. The present application has been moved seeking anticipatory bail in Case Crime no. 532 of 2009 under Sections 147, 332, 336, 308, 152, 504, 341, 342, 506 IPC and 7 Criminal Law (Amendment) Act, Police Station Saraimeer, District Azamgarh with the prayer that in the event of arrest, the applicant may be released on bail.

5. It is contended by learned counsel for the applicant that no specific role has been assigned to the applicant. It is further submitted that chargesheet has already been filed in the year 2012 but the trial is not proceeding as the original FIR has gone missing. It was also submitted that applicant undertakes to co-operate during trial and he would appear as and when required by the investigating agency or Court and in case he

is granted anticipatory bail, he shall not misuse the liberty of bail and would obey all conditions of bail.

6. On the other hand, learned A.G.A. opposed the prayer for grant of anticipatory bail and submitted that process under section 82 Cr.P.C. proceeded way back in the year 2017.

7. In reply, learned counsel for the applicant submitted that no bailable or non bailable warrants were served on the applicant and he has no knowledge about the said processes being issued against him. He placed reliance on the judgment of Hon'ble Apex Court in Asha Dubey vs. State of Madhya Pradesh and Ankur Agarwal vs. State of U.P. 2023:AHC:143735 passed by Co-ordinate Bench of this Court.

8. It may be stated that in case of Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694, it has been held by Hon'ble Supreme Court that while deciding anticipatory bail, the Court must consider nature and gravity of accusation, antecedents of the accused, possibility of accused to flee from justice and that Court must evaluate the entire available material against the accused carefully and the exact role of accused has also to be taken into consideration.

9. Considering the above facts and circumstances of this case and without expressing any opinion on its merit, let the applicant Mohd Shakir Alias Molavi Shakir in the event of his arrest, be released on interim anticipatory bail on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned till 25th November, 2025 with the following conditions :-

(i) The applicant shall not tamper with evidence and that he would appear before the trial Court on the date fixed unless exempted by the Court concerned;

(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/her/them from disclosing such facts to the Court or to any police officer;

(iii) The applicant would co-operate during trial and would not misuse the liberty of bail.

(iv) The applicant shall not leave India without prior permission of the Court concerned.

10. In default of any of the conditions, the prosecution shall be at liberty

to file appropriate application for cancellation of the interim anticipatory bail granted to the applicant.

11. Put up this case as fresh on 25.11.2025. "

4. It is contended by the learned counsel for the applicant that identically situated co-accused Mohd. Jahid has been granted anticipatory bail by the learned court concerned vide order dated 07.04.2025, a copy of which has been appended as Annexure SA-2 to the supplementary affidavit dated 27.07.2026. The applicant is regularly appearing before the court concerned in pursuance of the earlier order passed by this Court on 29.10.2025. The complete order-sheet of the learned trial court has been appended along with the aforesaid supplementary affidavit. It is further contended that the applicant was not arrested during the course of investigation. The charge-sheet has already been submitted in this case.

5. Earlier interim anticipatory bail was granted to the applicant vide order dated 29.10.2025 and in pursuance of aforesaid order, the applicant is regularly appearing before the learned trial court which is clear from perusal of order sheet appended in the supplementary affidavit. The investigation is complete in this matter and chargesheet has already been submitted. The applicant is regularly appearing before the learned trial court, therefore, there is no requirement of custodial interrogation of the applicant.

6. In view of above, the interim anticipatory bail granted to the applicant vide order dated 29.10.2025 is hereby made **absolute**. The applicant will remain on anticipatory bail till conclusion of trial on the same terms and conditions as given in the order dated 29.10.2025 passed by this Court.

7. The anticipatory bail application stands **allowed**.

8. In default or misuse of any of the conditions mentioned in the order dated 29.10.2025, the Public Prosecutor/ Investigating Officer/ first informant-complainant would be at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant, before the concerned court.

(Vivek Kumar Singh,J.)

August 12, 2026
Radhika