



2026:AHC:164137

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 7890 of 2026**

Waseem

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Kapil Tyagi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Learned counsel for the applicant and Learned A.G.A. for the State as well as perused the record.
2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.143 of 2026, under sections 191(2), 191(3), 190, 115(2), 352, 125, 109(1) of BNS, Police Station-Kakore, District-Bulandshahr, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the abovementioned case.
3. Learned Counsel has contended that the FIR has been lodged against 14 named accused. The injured, who are two in number, have not sustained injuries which are commensurate to the number of accused. They are cross versions and from the side of the applicant, one of the accused, Hanief, has lodged an FIR in which the two injured are also accused. It is further submitted that similarly situated co-accused Farman, Haseen, Mukeem, Nizam and Saifu have been granted regular bail by this Court in Criminal Misc. Bail Application No.18678 of 2026. The case of the applicant stands on a similar footing. The applicant has a criminal history of six cases including the present case, however he is not a previous convict.
4. Learned AGA has opposed the prayer for bail, however has not disputed the fact that the applicant's case stands on a similar footing to that of the co-accused who have been granted regular bail by this Court.

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

6. The applicant although has been shown to have six criminal cases to his credit, however in Case Crime No.409 of 2025 is said to have been granted protection by this Court in Criminal Misc. Writ Petition No.27163 of 2025. In the other case, being Case Crime No.215 of 2025, the applicant claims that no summons or notice has been served to the applicant, however a charge sheet has been filed. In the other cases he is said to be on bail and in Case Crime No.100 of 2021, the said case was withdrawn by the State Government. The explanation given by the applicant with respect to his criminal antecedents has not been denied by the Learned AGA.

7. Prim facie, from the number of accused nominated in the FIR and the injuries sustained by the injured, it appears to be a case of over implication. The injured in their statement have not named the applicant and have only generally stated that people from a particular family had assaulted the injured.

8. Taking into account the facts and circumstances of the case, I deem it appropriate to enlarge applicant on anticipatory bail.

9. In view of the above, the anticipatory bail application of the applicant is ***allowed***.

10. In the event of the arrest of the applicant-**Waseem**, he shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and surety 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;

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 application and are not to be considered to be an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

August 5, 2026

A. Pandey