



2026:AHC:175468

**HIGH COURT OF JUDICATURE AT ALLAHABAD**  
**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.**  
**- 8533 of 2026**

Mohd Rofi

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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| Counsel for Applicant(s)      | : | Ram Tiwari |
| Counsel for Opposite Party(s) | : | G.A.       |

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**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. 88 of 2025, under Sections 318(4), 338, 336(3), 340(2), 308(4), 351(3), 352 BNS, Police Station- Becon Ganj, District Kanpur Nagar, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case.
3. Learned counsel for the applicant contents that the applicant was not named in the First Information Report. The First Information Report itself has been lodged with a delay of about two and a half months. The applicant has been assigned the role of threatening the informant. However, the primary dispute is between the informant and the co-accused Irshad Alam. The applicant has been implicated solely due to the fact that he is an acquaintance of Irshad Alam. The applicant has no criminal history.
4. The learned AGA has opposed the prayer for bail and has contended that the applicant is named in the First Information Report; however, his name has not been shown in the column of the accused due to some

inadvertent mistake. Eye witness account clearly establishes the presence of the applicant on the spot. There is also a CCTV footage. The learned AGA has not disputed the fact that the applicant has no criminal antecedents.

5. I have considered the submissions made by the learned counsel for the parties and perused the material brought on the record.

6. Similarly situated co-accused Anees Ahmad *alias* Anees Kaliya has been granted anticipatory bail by this court in Criminal Miscellaneous Anticipatory Bail Application under Section 482 BNSS No. 5439 of 2026. The name of the applicant, although mentioned in the First Information Report, does not figure in the column of the accused. The primary dispute is between Irshad Alam and the informant and the applicant is not stated to be a beneficiary of the transaction. He is stated to be a broker. The CCTV footage, which has been perused by the Investigating Officer during investigation, is stated to be not a very clear one.

7. Taking into account the entire facts and circumstances of the case, a *prima facie* case for grant of anticipatory bail is made out.

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 **Mohd Rufi**, 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;

**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 19, 2026**

Prashant D.