



2026:AHC:55501

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 89 of 2026

Nazma @ Nazmi @ Nazmeen

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Mohit Kumar Jaiswal, Nasiruzzaman
Counsel for Opposite Party(s)	: G.A.

Court No. - 70

HON'BLE SANTOSH RAI, J.

1. Heard learned counsel for the applicant, Sri Shiv Sewak Ram Dwivedi, learned AGA for the State-respondents and perused the record.
2. This bail application has been moved on behalf of accused-applicant Nazma @ Nazmi @ Nazmeen seeking enlargement on bail in Case Crime No.33 of 2025, under Sections 223, 271 B.N.S. and Section 3/5/8 Cow Slaughter Act, Police Station Kotwali, District Mathura.
3. Tersely, as per the allegation contained in the FIR two accused persons including the applicant were spot arrested alongwith 35-40 Kg of beef.
4. Learned counsel for the applicant submits that the accused-applicant has not committed any offence as alleged in the FIR and has been falsely implicated in this case. Applicant is languishing in jail since 23.11.2025. It is submitted that though applicant is named in the FIR but false recovery of beef has been shown from the possession of applicant. It is further submitted that no independent and reliable witness was present at the time of preparation of recovery memo and arrest of applicant. It is argued that co-accused Shakeel having similar role has already been enlarged on bail by this Court vide order dated 24.11.2025 passed in Criminal Misc. Bail Application No.40335 of 2025 and parity is sought in the matter. It is further argued that applicant is a lady having no criminal antecedents to her credit. Submission is that the conclusion of trial will take sufficiently long and there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has been prayed for.
5. Per contra, learned AGA has opposed the prayer for bail of the applicant by contending that the innocence of the applicant cannot be adjudged at pre-

trial stage, therefore, she does not deserve any indulgence. It is submitted that, in case the applicant is released on bail, she may again indulge in similar activities and misuse the liberty of bail. It is further submitted that as per the instructions received, charge-sheet has already been submitted in this case on 30.11.2025.

6. Having considered the submissions of the parties noted above as also the fact that though applicant is named in the FIR but no independent and reliable witness was present at the time of preparation of recovery memo and arrest of applicant, co-accused Shakeel having similar role has already been enlarged on bail, applicant is a lady having no criminal antecedents to her credit, charge-sheet has already been submitted, therefore, there is no reasonable possibility of intimidating or pressurizing the prosecution witnesses, she is languishing in jail since 23.11.2025, keeping in view the uncertainty regarding conclusion of trial; larger mandate of the Article 21 of the Constitution of India, considering paragraph no.53 of Apex Court in case of **Manish Sisodia vs. Directorate of Enforcement 2024 (SC) LawSuit 677**, dictum of Apex Court in **Union of India vs. K.A. Najeeb (2021) 3 SCC 713** & **Satender Kumar Antil vs. Central Bureau of Investigation & Anr. (2022) 10 SCC 51** and without expressing any opinion on the merits of the case, let the applicant involved in the aforesaid crime be released on bail on her furnishing personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions that:-

- (i) The applicant shall not tamper with the evidence or threaten the witnesses.
- (ii) The applicant shall file an undertaking to the effect that she shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in Court.
- (iii) The applicant shall remain present before the trial court on each date fixed, either personally or as directed by the court concerned.
- (iv) The applicant shall remain present in person before the Trial Court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement of accused personally to explain circumstances appearing in the evidence against her.
- (v) In case the applicant misuses the liberty of bail during trial and in order

to secure her presence, the trial court shall initiate proceedings against her strictly, in accordance with law.

7. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail by the trial court.

8. Identity and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

March 18, 2026
RA

(Santosh Rai,J.)