



2026:AHC:53823

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2528 of 2026**

Nusrat Ali Khan And 5 Others

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Mustaqeem Ahmad
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Mustaqeem Ahmad, learned counsel for the applicants, Sri Uma Shankar Mishra, learned A.G.A. for the State and perused the record.
2. The present application has been moved seeking anticipatory bail in Case Crime no. 354 of 2024, u/s 498A, 323, 506 IPC, and 3/4 D.P. Act, P.S. Pakbada, District Moradabad with the prayer that in the event of arrest, the applicants may be released on bail.
3. It is contended by learned counsel for the applicants that the F.I.R. discloses some matrimonial offences and the applicants are the in-laws of the victim/first informant. Co-accused Rameez Khan, who is husband of the first informant, has already been granted anticipatory bail by this Court vide order dated 10.3.2026 in Anticipatory Bail Application No.1898 of 2026. The applicants undertake to co-operate during trial and to appear as and when required by the investigating agency or Court and in case they are granted anticipatory bail, they shall not misuse the liberty of bail and would obey all conditions of bail.
4. On the other hand, learned A.G.A. opposed the prayer for grant of anticipatory bail.
5. I have considered the rival submissions made by learned counsel for the parties.

6. The F.I.R. discloses some matrimonial offences and the applicants are the in-laws of the victim/first informant. Co-accused Rameez Khan, who is husband of the first informant, has already been granted anticipatory bail by this Court.

7. 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.

8. Considering all attending facts and circumstances of the case, settled principle of law regarding anticipatory bail, submissions of learned counsel for the parties, nature of accusation, role of applicants and without expressing any opinion on merits, a case for anticipatory bail is made out.

9. The anticipatory bail application is **allowed**.

10. In the event of arrest of the applicants **Nusrat Ali Khan, Aliya Khan, Shafiya Tabrez Khan, Vasim Khan, Nasir Khan** and **Rizwana** involved in the aforesaid case crime, they shall be released on 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, with the following conditions :-

(i) The applicants shall not tamper with evidence and shall appear before the trial Court either in person or through counsel on each and every date fixed unless exempted by the Court concerned and shall not seek any undue adjournment;

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

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

11. In default of any of the conditions, the prosecution shall be at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicants.

(Jitendra Kumar Sinha,J.)

March 17, 2026

Vandana