



2026:AHC:62267

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 2919 of 2026**

Mohd Azam

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Jay Prakash Pandey, Umesh Chandra
Tiwari
Counsel for Opposite Party(s) : G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard counsel for the applicant and Sri Neeraj Kumar Sharma, learned AGA for the State and perused the material on record.
2. This application has been filed seeking anticipatory bail in Case Crime No.50 of 2025, under Sections 191(2), 191(3), 190, 333, 109, 115(2), 117(2), 352, 351(3), 324(4), 118(1) of B.N.S. and Section 7 of Criminal Law Amendment Act, Police Station- Kunwargaon, District- Budaun, during the pendency of trial.
3. Counsel for the applicant submits that the applicant has been falsely implicated in the present case. As per the first information report, the applicant along with seven named accused is alleged to have assaulted three persons namely informant- Khush Naseeb, Sajiya and Najiya. As per the medical report as well supplementary medical report of Sajiya and Najiya, the injuries received by them were simple in nature. Injured- Khus Naseeb received three injuries. The injury nos.1 and 2 were simple in nature. The injury no.3 was referred for x-ray examination. As per the x-ray report, *fracture of third metacarpal bone of the left hand finger was seen*. A vague role has been assigned to the applicant. It is contended that the injury no. 3 sustained by the injured- Khus Naseeb was grievous in nature but not dangerous to life. The nature of injuries to the three injured shows that there was no intent to murder. Further, investigation has been completed and the charge sheet has been submitted. During investigation, the applicant has been granted anticipatory bail till submission of police report, by this Court

vide order dated 25.9.2025 passed in Criminal Misc. Anticipatory Bail Application No.7895 of 2025 (Mohd. Azam vs. State of U.P.). The applicant had cooperated in the investigation. The applicant has been summoned by the concerned Court. No custodial interrogation is required. The applicant has not violated any conditions or misuse the liberty of anticipatory bail. Criminal history of the applicant has been explained in para no.14 of the bail application. The applicant has apprehension of his arrest in the above mentioned case. In case, the applicant is granted anticipatory bail, he will not misuse the said liberty.

4. Learned A.G.A. has opposed the prayer for anticipatory bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having regard to the submissions made, considering the nature of accusations, antecedents of the applicant, and the fact that a vague role has been assigned to the applicant. Investigation has been completed and charge sheet has been filed. During investigation, the applicant has been granted anticipatory bail till submission of police report. No violation of the conditions or misuse of liberty of anticipatory bail has been pointed out by the learned A.G.A. The applicant had cooperated in the investigation; the applicant has been summoned by the concerned court, no custodial interrogation is required; without commenting on merits of the case, I am of the opinion that the applicant is entitled for anticipatory bail.

6. In the event of arrest, the applicant **Mohd Azam**, involved in the aforesaid case crime be released on anticipatory bail during pendency of trial, on 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 applicant shall make himself available on each date fixed in the matter 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 from disclosing such facts to the Court;

(iii) the applicant shall not leave India without the previous permission of the Court and if he has passport the same shall be deposited by him before the concerned court.

7. In default of any of the conditions, the court concerned is at liberty to pass appropriate orders for enforcing and compelling the same.

8. The application stands disposed of.

March 25, 2026

Manish Kr

(Vivek Varma,J.)