



2026:AHC:64390

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 3009 of 2026

Mohd Tausif @ Tausim

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Ameet Srivastava, Ramesh Kumar
Pandey

Counsel for Opposite Party(s) : G.A.

Court No. - 72

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.194 of 2025, under Sections 85, 103(1), 3(5) BNS, Police Station- Utraon, District Ganganagar (Commissionerate Prayagraj), with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the abovementioned case, during the pendency of trial.

3. Learned counsel for the applicant states that the applicant is the brother-in-law(Devar) of the deceased. The applicant has been falsely implicated in the present case and general allegations have been made against the applicant in the FIR of demanding money. The applicant is a married man living separately. He had filed a criminal writ before this Court being Criminal Misc. Writ Petition No.23176/2025, in which this Court vide order dated 14.10.2025 had stayed the coercive action against the applicant for a period of 60 days and directed the applicant to appear before the concerned Court within the said period and apply for bail/anticipatory bail. He contends that due to inadvertence and the advance stage of pregnancy of his wife, he could not appear within the time fixed by the High Court, however, immediately thereafter he had filed his application before the concerned Court. He stated that till date no

coercive action has been taken against the applicant. The chargesheet has already been filed against the co-accused and the investigation is pending against the applicant.

4. Learned AGA has opposed the prayer for bail and has contended that the applicant is a named accused in the present case. The FIR has been lodged naming the applicant and the co-accused. The applicant did not surrender before the concerned Court within time and no indulgence may be granted. He, however, has not disputed the fact that the applicant has no criminal antecedents.

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

6. The FIR names the applicant alongwith four other accused. General allegations against the applicant and the other accused have been made. The cause of death that has been found in the postmortem examination report is asphyxia as a result of antemortem hanging. There are no marks of external injury present on the body except a ligature mark found during postmortem examination. The co-accused Gudiya @ Aisha Begum has been granted interim protection by this Court in Criminal Misc. Writ Petition No.24904/2025. The husband of the deceased is already in jail

7. Prima facie, from the perusal of the entire facts and circumstances of the case, the death of the deceased appears to be as a result of suicide. There is no eye witness to the occurrence and in view of the entire facts and circumstances, taking also note of the fact that the applicant has no criminal antecedents, I deem it appropriate to enlarge the applicant on bail.

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 Tausif @ Tausim**, he shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and two sureties each 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.)

March 28, 2026
A. Pandey