



2026:AHC:67985

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 1489 of 2026**

Nadeem And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Anwar Hussain

Counsel for Opposite Party(s) : Dilip Kumar Goswami, G.A., Sanjay Singh

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Sri Anwar Hussain, learned counsel for the applicants, Sri Sanjay Singh, learned counsel for the informant 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 applicants in Case Crime No.402 of 2025, under Section 191(2), 191(3), 125, 118(1), 352, 115(2), 109(1) and 351(2) BNS, Police Station-Rorawar, District Aligarh, with a prayer to enlarge them on anticipatory bail as the applicants apprehend their arrest in the above-mentioned case.
3. Learned counsel for the applicant states that the applicant has been falsely implicated in the present case. He has been assigned role of causing injuries to the informant, who has received three injuries and a fracture has also been found in the thin bone situated in the socket of the eye.
4. He contends that the First Information Report has concealed the material facts and in fact, there is a cross case in which the co-accused Abdul Karim has also been received injuries and the applicant no.2 had also received injuries.
5. He further contends that this Court in Criminal Misc. Writ Petition No.27181 of 2025 vide order dated 10.12.2025 has granted interim protection to the informant side. He further contends that the similarly

situated co-accused Abdul Karim has been granted anticipatory bail in **CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. 1743 of 2026**. The case of the applicant is on similar footing with the applicant and he may be considered for grant of anticipatory bail.

6. Learned counsel for the informant has opposed the prayer and has submitted that the applicant has caused grievous injury to the informant and the specific role has been assigned to him. Learned counsel for the informant, however, could not dispute the fact that similarly situated co-accused Abdul Karim has been granted anticipatory bail by this Court.

7. Learned AGA also adopted the submissions made by learned counsel for the informant.

8. I have considered the submissions made by learned counsel for the parties.

9. The applicant, although, named in the First Information Report has been given role of assault to the informant. The injuries received by the informant are not said to be dangerous to life. Similarly constituted co-accused Abdul Karim who had been assigned specific role of causing injury with hard and blunt object on the head of Sher Mohammad, who has received fracture on his head, has been granted anticipatory bail.

10. The applicants is said to have no criminal history and there is a cross case and applicant no.2 is also an injured in the cross case. The applicant no.2 is also said to be a senior citizen and no specific role has been assigned to him. The specific role has been assigned to the applicant no.1, Nadeem whose case stands on similar footing with the co-accused Abdul Karim.

11. In view of the facts and circumstances of the case, this Court deems it appropriate to grant anticipatory bail application.

12. In view of the above, the anticipatory bail application of the applicants is ***allowed***.

13. In the event of arrest of the applicants- **Nadeem and Shamsher Khan**

, involved in the aforesaid case crime, they shall be released on anticipatory bail on their 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 that they would appear before the trial Court on the date fixed unless exempted by the Court concerned;
- (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 cooperate during trial and would not misuse the liberty of bail.
- (iv) The applicants shall not leave India without prior permission of the Court concerned.

14. 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 herein.

(Rajiv Lochan Shukla,J.)

March 30, 2026
S.A.