



2026:AHC:67206

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 1499 of 2026

Smt Shamim

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Vijay Pratap Singh
Counsel for Opposite Party(s)	:	Deepak Kaushik, G.A.

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard learned counsel for the applicant; Sri Deepak Kaushik, learned counsel for the informant; and learned A.G.A. for the State.

2. The present anticipatory bail application has been filed on behalf of the applicant-Smt. Shamim, in Case Crime No. 296 of 2025, under Sections 70(1), 351(3), 87, 61(2) of the B.N.S., 2023, and Section 67 of the Information Technology Act, Police Station – Mansoorpur, District Muzaffar Nagar, with a prayer to enlarge her on anticipatory bail, till the conclusion of the trial as the applicant apprehends her arrest in the above mentioned case.

3. The learned counsel for the applicant states that the applicant has been falsely implicated in the present case and seeks anticipatory bail on the following grounds :-

i. No allegation of rape has been levelled against the applicant.

ii. The role assigned to the applicant is of taking the victim where she was supposedly raped and also of making a video when the victim was being subjected to sexual assault.

iii. The sexual assault is said to have been perpetrated by the co-accused, Suhail, who has been granted regular bail by this Court vide order dated 25.02.2026 in Criminal Misc. Bail Application No. 5937 of 2026.

iv. The applicant has no criminal antecedents.

v. The applicant had been granted interim anticipatory bail on 16.02.2026 by this Court and has not misused the liberty so granted.

4. Sri Deepak Kaushik, learned counsel appearing for the informant, and the learned A.G.A. have vehemently opposed the prayer for grant of anticipatory bail and have argued that the applicant is a nominated accused, who has played a key part in the offence. They further submit that non-bailable warrants have been issued against the applicant. They, however, could not point out any violation of the terms and conditions of interim anticipatory bail granted to the applicant. The learned A.G.A. has further pointed out that the applicant has no criminal antecedents.

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

6. The role assigned to the applicant in the First Information Report (FIR), and statements under Sections 180 and 183 B.N.S.S. is of inducing the victim and taking her to the applicant's house where the co-accused Suhail and Wajid, supposedly committed rape upon her. As per the statement recorded under Section 183 B.N.S.S., the video was supposedly made viral by the co-accused, Suhail, who has been granted bail by this Court. The applicant is a lady and her role is clearly distinguishable from that of the co-accused, Suhail. The applicant had been granted interim anticipatory bail by this Court in absence of the instructions received by the learned A.G.A. and has not violated the terms and conditions of bail. It has also been pointed out that no video of the incident has been recovered during investigation.

7. In view of all these facts and circumstances, I deem it appropriate to confirm the interim anticipatory bail granted to the applicant.

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

9. The interim anticipatory bail granted to the applicant is hereby confirmed. In the event of the arrest of the applicant- **Smt. Shamim** in the above mentioned case, she shall be enlarged on anticipatory bail on the same terms and conditions, as fixed in the earlier order dated 16.02.2026.

10. 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 31, 2026
Kushal