



2026:AHC:65115

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 2190 of 2026**

Najim

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ramashankar Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

1. Heard Sri Ramashankar Yadav, learned counsel for the applicant, Sri Yagvalkya Pandey, 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. 271 of 2025, under Sections 3/5/8 Prevention of Cow Slaughter Act and Section 11 of Prevention of Cruelty to Animal Act and Section 325 B.N.S. and Section 4/5 of Arms Act, Police Station Koraon, District Prayagraj, with the prayer that in the event of arrest, applicant may be released on bail.

3. It has been argued by the learned counsel for the applicant that applicant is innocent and he has been falsely implicated in this case. It is further submitted that the applicant is not named in the first information report and co-accused Akram @ Kaliya has already been granted interim anticipatory bail by this Court vide order dated 19.01.2026 passed in Criminal Misc. Anticipatory Bail Application U/s 482 BNSS No.360 of 2026. It is further submitted that the name of the applicant has surfaced during investigation in the confessional statement of four arrested co-accused persons and from their possession 33 cows and some slaughtering instruments are said to have been recovered. It is also submitted that the applicant is having criminal history of two other cases to his credit which has been explained in the affidavit filed in support of the bail application. It was also submitted that applicant undertakes to co-operate during trial and he would appear as and when required by the investigating agency or Court. It has been stated that in case, applicant is granted anticipatory bail, he shall not misuse the liberty of

bail and will co-operate with the investigation and would obey all conditions of bail.

4. On the other hand, learned A.G.A. has opposed the application for anticipatory bail.

5. Applicant is not named in the first information report and co-accused Akram @ Kaliya has already been granted interim anticipatory bail by this Court vide order dated 19.01.2026 passed in Criminal Misc. Anticipatory Bail Application U/s 482 BNSS No.360 of 2026 and the name of the applicant has surfaced during investigation in the confessional statement of four arrested co-accused persons and from their possession 33 cows and some slaughtering instruments are said to have been recovered and the applicant is having no criminal history.

6. 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, Court must consider nature and gravity of accusation, antecedent of accused, possibility of accused to flee from justice and that Court must evaluate entire available material against the accused carefully and that the exact role of the accused has also to be taken into consideration.

7. In the instant case, considering the settled principle of law regarding anticipatory bail, submissions of the learned counsel for the parties, role of applicant and all attending facts and circumstances of the case, without expressing any opinion on merits, a case for anticipatory bail is made out.

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

9. In the event of arrest of the applicant **Najim**, involved in the aforesaid case crime 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 applicant shall not tamper with evidence and that he would appear before the trial Court on the date fixed unless exempted 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 him/her/them from disclosing such facts to the Court or to any police officer;

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

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

10. 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 applicant.

March 28, 2026

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(Ashutosh Srivastava,J.)