



2026:AHC-LKO:19386

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

**CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 95 of 2026**

Razi Ullah

.....Applicant(s)

Versus

State Of U.P. Thru. Addl. Prin. Secy. Home Deptt.
Lko. And Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Mohsin Iqbal, Husain Askari, Syed
Shabih Haider
Counsel for Opposite Party(s) : G.A.

Court No. - 15

HON'BLE KARUNESH SINGH PAWAR, J.

Heard learned counsel for the accused-applicant as well as learned Additional Government Advocate for the State and perused the record. None appears on behalf of respondent No. 2, though, the notice has been duly served.

This Court vide order dated 02.02.2026 granted interim anticipatory bail to the applicant. The order dated 02.02.2026 is extracted hereinunder:-

"1.The present anticipatory bail application under Section 438 Cr.P.C. has been filed seeking anticipatory bail in complaint case No.1577 of 2024 under section 395 I.P.C., P.S. Kumarganj, district Faizabad/Ayodhya.

2.Heard learned counsel for the applicant and learned Additional Government Advocate for the State.

3.It is alleged in the complainant case that while the complainant along with his nephew Avesh Ahmad, Farukh and Saghir was going to Kumarganj market to purchase a buffalo on 8.1.2010 at about 2.00p.m. and as soon as he reached in front of the university, the accused persons stopped him and took out country-made pistol and have looted Rs.20,000/- from him.

Learned counsel for the applicant submits that it is a complaint case. Till date, the applicant has not received any summon, notice or warrant. Specific pleading in this regard has been made in para 23 of the bail

application. The applicant has no previous criminal antecedent. The injuries received by the injured are simple in nature.

The co-accused Ahsan Ullah has been granted interim protection vide order passed in Anticipatory bail No.1237 of 2025 (page 42 of paper book).

Learned counsel for the applicant undertakes that the applicant shall cooperate in the trial.

4.Learned Addl. Government Advocate has opposed the prayer made by applicant's counsel but could not dispute the argument advanced by learned counsel for the applicant.

5.Issue notice to respondent No.2.

6.List on 17.3.2026. In the meantime, learned A.G.A. shall file objections/counter affidavit.

7.Considering the above aspects of the matter, the fact that the applicant has no criminal history, the undertaking given on behalf of the applicant that he will cooperate in the trial, from the record, it appears that the applicant is not aware of the pending trial as pleaded by him in the bail application, the co-accused Ahsan Ullah has been granted interim protection vide order passed in Anticipatory bail No.1237 of 2025, and without entering into the merit of the case, it would be appropriate to grant protection to the applicant.

8.In view of the above, it is provided that the applicant shall surrender before the concerned court within 20 days from today. On such surrender, the applicant shall be released on anticipatory bail on his furnishing a personal bond and two sureties of the like amount to the satisfaction of the trial court.

9.The applicant shall cooperate in the trial and he will not influence the witnesses. Any other condition which the trial court may deem fit and proper may also be imposed.

In case of default, it would be open for the trial court to proceed in accordance with law."

Learned counsel for the applicant submits that, in compliance with the order of this Court dated 02.02.2026, the applicant appeared before the trial Court and has been enlarged on interim anticipatory bail. He has duly cooperated in the proceedings. It is further submitted that the applicant has no criminal

history and undertakes to continue cooperating in the trial. He has not misused the liberty granted to him by this Court. These facts could not be disputed by the learned AGA for the State.

Learned AGA for the State, however, opposed the prayer of the applicant.

Perused the record.

Upon due consideration of the facts and circumstances of the case, particularly that the liberty granted by this Court has not been misused by the applicant, the undertaking given by him to cooperate in the trial, and the fact that the applicant has no criminal history, the interim protection granted by this Court vide order dated 02.02.2026 is hereby made absolute.

Accordingly, the application is **allowed**.

March 17, 2026

Vinay/-

(Karunesh Singh Pawar,J.)