



2026:AHC:11521

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 36114 of 2025

Shahnawaz Alias Kanja

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Jamal Hasan, Mehdi Abbas
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Shri Mehdi Abbas, learned counsel for the applicant, Shri Manoj Kumar Singh, learned AGA for the State-respondents and perused the record.

This bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been moved on behalf of accused-applicant, **Shahnawaz Alias Kanja**, seeking enlargement on bail in Case Crime No. 469 of 2024, under Section 109 of the Bharatiya Nyaya Sanhita, 2023 and Section 3/4/25 of Arms Act, Police Station Dehat, District Bulandshahar, during the pendency of the trial before the Court below.

Learned counsel for the applicant argued that the accused-applicant is innocent. He has been falsely implicated in this very case crime number and is languishing in jail since 11.08.2024. The implication of applicant is under Section 109 B.N.S. Learned counsel for the applicant submits that it is no injury case. The charge sheet has been submitted on 07.02.2025. Applicant has two cases of criminal history, which has been explained. He further submits that co-accused Nishad Alias Cheepa has been granted bail by the coordinate Bench of this Court on 25.09.2025 passed in Criminal Misc. Bail Application No.22454 of 2025. There is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has been prayed for.

Learned AGA has vehemently opposed the prayer for bail.

Considering all above facts and circumstances, the nature of accusations,

severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is ***allowed***.

Let the accused-applicant involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

(Ashutosh Srivastava,J.)

January 14, 2026

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