

UPAD010069382026



IN THE COURT OF SESSIONS JUDGE, PRAYAGRAJ

Present: Satya Prakash Tripathi(H.J.S.)

Anticipatory Bail Application No.– 2589 of 2026

Abu Umar s/o Md. Ilyas, R/o – Khabanpur, Akbarpur, Sallahpur, P.S. – Puramufti, District– Prayagraj.

... Accused /Applicant

Versus

State of U.P.

... Prosecution/Opposite party

Case crime no. 29 of 2026

U/s– 342, 140(1), 61(2)a,
190, 191(2),191(3), 127(2),
115(2), 351(3) B.N.S.
P.S. – Kareli

Disposal of Anticipatory Bail Application

Dated : 16.07.2026

1. This Anticipatory Bail Application has been filed by the learned counsel on behalf of the applicant/accused Abu Umar with a prayer to enlarge him on anticipatory bail in Case Crime no. 29 of 2026, u/s 342, 140(1), 61(2)a, 190, 191(2),191(3), 127(2), 115(2), 351(3) B.N.S. P.S.– Kareli, District– Prayagraj. In support of this anticipatory bail application, affidavit has been filed by the applicant/accused.

2. I have heard the arguments advanced by the learned counsel for the applicant/accused. I have also heard learned D.G.C.(Crl.) on behalf of State and perused the prosecution records.

3. In the anticipatory bail application, it has been averred that the applicant/accused is quite innocent. He has not committed any offence. He is a peace loving and law abiding citizen of India. The applicant/accused does not have any prior criminal history. This is the first anticipatory bail application of the applicant in this case and no any bail application has been rejected or pending before any court. On 05.06.2026, the police personal came to the applicant's house and threatened his family members for his arrest. The applicant/accused has a suspicion that he may be arrested by the police.

4. The Ld. Counsel for the accused/applicant has reiterated the contents of bail application and argued before the court that the applicant/accused is not named in the F.I.R. His name came into light during the investigation upon the statements given to I.O. by some of the so called witnesses. There is no eye witness of the case. Three co–accused persons have already been enlarged on bail. Hence, it has been prayed that the anticipatory bail application of the accused/applicant be allowed.

5. Per contra, the learned D.G.C (Criminal) on behalf of the State vehemently opposed the said anticipatory bail application and argued that applicant/accused is not entitled for anticipatory bail as he has committed the offence of abduction with an intention to kill the first informant. The case is of a very serious nature. There are sufficient evidence available on record corroborating the involvement of the accused/applicant. Hence, it has been prayed that the anticipatory bail application of the applicant/accused be dismissed.

6. As per the F.I.R. version, the first informant Shau Ping Chhay has lodged the F.I.R. on 10.02.2026 at about 03:05 hours at the P.S. Kareli against the two named and three unknown persons stating therein that he resides in House No. 971/2 Tulsipur, Prayagraj. On 09.02.2026 at about 5:10 P.M. he was passing by the Old Water Tank, situated at Kareli, G.T.B. Nagar, when suddenly a Swift Dezire Car without number plate came and some miscreants pulled him into the car. They beat him with country-made pistol, wooden sticks(lathis) etc. on his head, hands etc, due to which he has sustained grievous injuries all over his body. There were five miscreants among which Saif and Umar had bitten him causing severe injuries. They took him to Umri Gaon via car. The accused Saif hit on his head with pistol. Thereafter, they left him near Bank of Baroda, IIT in an unconscious state and fled away. The first informant got frightened for his life and when he regained consciousness, then he filed his F.I.R. at concerned Police Station. There was no any old dispute between them. But, on 08.02.2026, a dispute arose on the issue of road rage incident nearby Pani Tanki Crossing.

7. I have perused the F.I.R., case diary, report from the P.S. concerned, medical report of the first informant, and other relevant papers etc. It is revealed that the other co-accused namely Mohd. Saif, Mohd. Umar and Mohd. Majid have already been enlarged on regular bail by this Court. It is also revealed that the applicant/accused is not named in the F.I.R. His name came into light during investigation on the basis of statements recorded by I.O. There is no any independent witnesses. The injuries sustained by the first informant/victim are said to have been of simple nature. The alleged role of the applicant/accused is similar to that of other co-accused persons who are already enlarged on bail. Thus, without commenting on the merits of the case, I find it a fit case to grant anticipatory bail to the applicant/accused. Therefore, this anticipatory bail application is likely to be allowed.

ORDER

The anticipatory bail application of the applicant/accused **Abu Umar s/o Md. Iliyas** is, hereby, allowed.

The applicant/accused is hereby released on anticipatory bail in the event of arrest, subject to furnishing a personal bail bond of Rs. 50,000/- (Rupees Fifty Thousand) and one reliable surety of like amount to the

satisfaction of the Court concerned and further subject to the conditions mentioned below:–

1. The accused/applicant shall not commit any offense similar to the one alleged or suspected against him.
2. The applicant/accused will cooperate in the investigation and will appear before the concerned police officer whenever summoned by him.
3. The accused/applicant shall not directly or indirectly threaten, induce, or promise any person acquainted with the facts of the case to withhold true facts before the court or any police officer.
4. During the trial, the accused/applicant shall remain personally present in Court on the date fixed for framing charges and recording of evidence and recording of statements and also on other dates as directed by the Court.
5. The accused/applicant shall not file an application for adjournment on the date fixed for evidence during the trial whenever witnesses are present.
6. The Trial Court reserves the right to dismiss the anticipatory bail application of the applicant/accused if there is violation of the specified conditions in any manner.

Dated: 16.07.2026

(Satya Prakash Tripathi)
Sessions Judge
Prayagraj.
J.O. Code – UP 5687