



2026:AHC:55720

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 877 of 2026

Asif Qazi

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s)

: Rafeek Ahmad Khan

Counsel for Respondent(s)

: G.A.

Court No. - 50

HON'BLE SHEKHAR KUMAR YADAV, J.

Re:- Criminal Misc. Bail Application No. ___ of 2026

1. Heard learned counsel for the applicant and learned AGA for the State as well as perused the record.
2. The present criminal appeal under Section 14-A(2) Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act has been filed by the appellant- **Asif Qazi** to set aside the order dated 06.12.2025 passed by Additional District and Session Judge/ Special Judge, SC/ST (P.A.) Act, Mahoba in Criminal Misc. Application Computer Serial No. 923 of 2025 (Asif Qazi Vs. State of U.P.) arising out of Case Crime No. 474 of 2025, under Sections 109(1), 352, 351(2) BNS and Section 3(1)da, 3(1)(dha), and 3(2)(5ka) of the SC/ST Act and Section 3/25 Arms Act, P.S.- Kotwali Nagar (Mahoba), District Mahoba with a further prayer to release the applicant on bail in the aforesaid case.
3. Learned counsel for the appellant has submitted that the appellant is innocent and has been falsely implicated in the present case. The appellant is in jail since 10.10.2025.
4. It is further contended that similarly placed co-accused person, namely, Pushpendra Singh and Amir @ Buma, have already been granted bail by this Court as well as by co-ordinate Bench of this Court vide orders dated 16.1.2026 and 12.3.2026 in Criminal Misc. Bail Application No.981 of 2026 and Criminal Appeal No.353 of 2026, therefore, the applicant is also entitled for bail on the ground of parity.
5. I have perused the bail order of the co-accused and find that the role assigned to the present appellant is almost similar to that of co-accused person, who has already been granted bail by this Court.
6. On the other hand, learned AGA has opposed the application for bail but could not dispute the submission raised by learned counsel for the appellant.

7. Having regard to the facts and circumstances of the case and keeping in view the nature of the offence, evidence, complicity of the accused, role assigned to the present appellant, the Court is of the opinion that the appellant has made out a case for bail.

8. Accordingly, the appeal is **allowed** and the impugned order rejecting the bail application of the appellant is hereby **set-aside**.

9. Let the appellant- **Asif Qazi**, involved in aforesaid case crime number be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

(i) The appellant will not tamper with the evidence during the trial.

(ii) The appellant will not pressurize/ intimidate the prosecution witness.

(iii) The appellant will appear before the trial court on the date fixed, unless personal presence is exempted.

(iv) The appellant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(v) The appellant 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 from disclosing such facts to the Court or to any police officer or tamper with the evidence.

10. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

March 18, 2026
Krishna*

(Shekhar Kumar Yadav,J.)