



2026:AHC:55435

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL APPEAL No. - 11294 of 2025**

Anas

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

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|---------------------------|-------------------------------------------|
| Counsel for Appellant(s)  | : Anand Ji Mishra, Kaushal Kumar Pandey   |
| Counsel for Respondent(s) | : Dushyant Kumar, G.A., Rahul Singh Tomar |

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**Court No. - 50**

**HON'BLE SHEKHAR KUMAR YADAV, J.**

1. The present criminal appeal under Section 14-A(2) Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act has been filed by the appellant to set aside the bail rejection order dated 23.09.2025 passed by Special Judge (SC/ST Act) Meerut in Bail Application No.5297 of 2025 arising out of Case Crime No.266 of 2025, under Sections 191(2), 191(3), 109(1), 352, 115(2) BNS and 3(1)(gha), 3(1)(dha) and 3(2)(V) of SC/ST Act, Police Station Bhawanpur, District Meerut.

2. Heard learned counsel for the appellant, the learned AGA for the State-respondent no.1, learned counsel for the informant and perused the entire record.

3. In short, according to the prosecution case, on 22.08.2025 at about 07.15 pm, the accused Anas (appellant) alongwith co-accused Saalim, Ikramau and Farooq and some unknown persons with the intention to kill have assaulted the injured Adesh, Shivanshu, Anuj, Mohit, Gaurav as a result of which they have sustained serious injuries. It is further alleged that the accused persons have also abused to the informant as well as injured by caste related words.

4. Submission of learned counsel for the appellant is that the appellant is innocent and has been falsely implicated in this case. The appellant has not committed any offence as alleged in the impugned FIR. Prosecution story is totally false and fabricated. The impugned FIR has been lodged against four accused persons including the appellant and against them only general role assigned. No specific role assigned to the appellant. Further submission is that that as to who was the author of the alleged incident, is not clear. As per

version of the FIR as well as statement of the injured, the accused persons have assaulted with sharp edge weapon but as per injury report, there is no injury of sharp edge weapon. Further submission is that there are 18 prosecution witnesses and till now no witness has been examined meaning thereby there is no possibility of early conclusion of trial in near future, hence, the appellant may be enlarged on bail. Appellant is languishing in jail since 23.08.2025. Further submission is that the impugned order rejecting the bail application of the appellant suffers from infirmity and illegality warranting interference by this Court.

5. On the other hand, learned A.G.A. vehemently opposed the the prayer for bail of the appellant.

6. I have considered the rival submissions made by the learned counsel for the parties and have gone through the entire record including the impugned order carefully.

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 and the nature of injury, the Court is of the opinion that the appellant has made out a case for bail. The Court below erred in rejecting the bail application of the appellant. The impugned order suffers from infirmity and illegality and the same is liable to be set-aside and the appeal is liable to be allowed.

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-**Anas**, 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**

Ajeet

**(Shekhar Kumar Yadav,J.)**