



2026:AHC:100731

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 40267 of 2025

Nadeem

.....Applicant(s)

Versus

State Of U.P. Through Principal Secretary (Home),
Lucknow

.....Opposite
Party(s)

Counsel for Applicant(s) : Atul Kumar
Counsel for Opposite Party(s) : G.A.

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicant, the Learned A.G.A. for the State and perused the record.

2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No.411 of 2025, under Sections 353(2), 192, 152 of B.N.S. 2023, Police Station- Budhana, District- Muzaffar Nagar.

3. The Learned counsel for the applicant has submitted that the applicant has been falsely implicated in the present case. He contends that the applicant is stated to have posted some objectionable comments on his Instagram handle and the same led to the registration of this case against the applicant. The Learned counsel for the applicant has contended that the applicant is in jail since 7.10.2025. A charge-sheet has now also been submitted and there is no likelihood of the trial against the applicant being concluded in the near future. The applicant has no criminal antecedents.

4. The Learned A.G.A., on the other hand, has opposed the prayer for grant of bail and has contended that the applicant has made insensitive comments stating "*I Love Mohammed* के लिए गर्दन कटवा भी सकते हैं और काट भी सकते हैं।". He further relies upon a decision of the bail application being **Criminal Misc. Bail Application No.43604 of 2025 (Rihan Vs. State of U.P.)** and contends that such objectionable slogan led to widespread riots in the District Bareilly, which led to a serious damage to

property. He further contends that law and order situation became dismal due to anti-social elements who were incited by these kinds of slogan. The Learned A.G.A., however, could not deny the fact that the said case related to District Bareilly and the accused Nadeem Khan mentioned therein is not the applicant.

5. I have considered the submissions made by the Learned counsels for the parties and perused the material brought on the record.

6. The applicant is in jail since 7.10.2025. The applicant does not have any criminal antecedents. The supposed objectionable post made on the Instagram handle by the applicant does not name any particular caste or community.

7. Taking into account the material collected during investigation, the role assigned to the applicant as well as the fact that the applicant is in jail since 7.10.2025 and having no criminal antecedents, I deem it appropriate to enlarge the applicant on bail.

8. The bail application is *allowed*.

9. Let the accused-applicant- **Nadeem**, 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:

i. The applicant will not tamper with the evidence.

ii. The applicant will not indulge in any criminal activity.

iii. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.

iv. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted by the court concerned.

10. In the event of breach of any of the aforesaid conditions, the court

below will be at liberty to proceed to cancel his bail.

11. It is made clear that the applicant shall be released on the basis of computer generated copy of this order, downloaded from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within 15 days.

12. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

(Rajiv Lochan Shukla,J.)

May 4, 2026

Sachin