



2025:AHC:178073

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 32863 of 2025

Ashish Kumar @ Ashish Gautam

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Supplementary affidavit filed today is taken on record.

Heard Shri Yasavant Kumar, learned counsel for the applicant and Shri S.K.Rai, learned AGA-Ist, 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, Ashish Kumar @ Ashish Gautam, seeking enlargement on bail in Case Crime No. 467 of 2025, under Sections-131, 109 B.N.S. and section 4/25 of Arms Act, Police Station-Pipraich, District Gorakhpur.

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 23.06.2025. Learned counsel for the applicant submits that a First Information Report has been lodged by the first informant with the allegation that on the date of incident the applicant assaulted the son of the first informant namely Vikash, by knife in which the injured has sustained severe injuries. Learned counsel for the applicant submits that the applicant is suffering from mental sickness and his treatment is going on under the supervision of Dr. Abhinav Srivastava at Navchetna, Neuro Psychiatric Clinic. Learned counsel for the applicant further submits that it is a case of sudden provocation. The applicant also received severe injuries. The recovery of knife is planted one. He has no criminal antecedent and 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 but could not dispute the fact that the applicant has no criminal antecedents.

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, ***Ashish Kumar @ Ashish Gautam***, 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.)

October 8, 2025

Deepak/