



2025:AHC:178060

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 32836 of 2025

Dinesh Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Divyanshu Pathak
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Divyanshu Pathak, learned counsel for the applicant and Sri D.P.S. Chauhan, learned A.G.A. for the State.
2. The instant application has been filed to enlarge the applicant on bail in case crime No. 322 of 2025, under Sections 3(5), 115(2), 352, 351(3), 109 B.N.S., P.S. Phoolpur, District Azamgarh.
3. Contention of learned counsel for the applicant is that in the F.I.R. as well as in the statements, the role assigned to the applicant is that he attacked the injured Soni Yadav over a property dispute. It is submitted that from perusal of the injury report of the injured Soni, it is clear that all the injuries are on non-vital parts and except one injury i.e. fracture in wrist, all the injuries are simple in nature. Therefore, the case would not fall within the purview of Section 109 B.N.S., but at the most under Section 117(2) BNS (Section 325 IPC) which is a bailable offence. The nature of allegation also shows that the aforesaid injuries have been caused by the applicant in a sudden brawl and there was no premeditation for causing such injuries. It is further submitted that the applicant has no criminal history. Charge sheet has been filed on 31.7.2025 and he is languishing in jail since 1.7.2025. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.
4. Per contra, learned A.G.A. for the State vehemently opposed the prayer for bail, but he could not dispute the aforesaid fact.

5. Thus, considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of injuries and allegation, evidence, complicity of accused and without expressing any opinion on the merits of the case, the Court is of the view that the applicant is entitled to be enlarged on bail.

6. Let the applicant- **Dinesh Yadav**, involved in the aforementioned crime be released on bail, on his furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

i. The applicant 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.

ii. The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.

iii. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

iv. The applicant shall attend in accordance with the conditions of the bond executed by him.

7. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

8. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

9. **Registry** is directed to forthwith send a copy of this order at the jail portal of Azamgarh jail.

(Arun Kumar Singh Deshwal,J.)

October 8, 2025
Vandana