



2025:JHC-1 K0389592

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 9955 of 2025

Mukesh Yadav

.....Applicant(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Home Lko.

.....Opposite
Party(s)

Counsel for Applicant(s) : Onkar Nath Tiwari, Maya Ram Yadav
Counsel for Opposite Party(s) : G.A., Hari Om Mishra, Prashant Dubey

Court No. - 15

HON'BLE KARUNESH SINGH PAWAR, J.

Heard learned counsel for the applicant, learned AGA for the State and Shri Prashant Dubey, learned counsel for the complainant.

In the prosecution case, it is alleged that an altercation occurred with the son of the complainant on 19.07.2025 at about 10:15 p.m. The complainant's son was staying at Ashu Home Stay, Krishnanagar, Devkali, when on 20.07.2025, at around 5:00 a.m., a group of named and unknown persons, armed with sticks and iron rods, forcibly entered his room, brutally assaulted him with the alleged intent to kill, dragged him outside, continued to beat him, and abandoned him near the canal behind Dabhaseemar Stadium, believing him to be dead. The entire assault was captured on CCTV, and during the incident, his mobile phone and purse went missing.

Learned counsel for the applicant submits that a general role of causing injury has been attributed to twelve named and several unnamed persons, and there is no specific allegation against the applicant regarding causing injury to the injured. In his statement, the injured has also assigned only a general role of beating to the named accused persons. Although the applicant has been assigned the role of dragging the injured and forcing him to sit on the motorcycle along with the aid of co-accused persons, a perusal of the injury report reveals that the injured has not suffered any grievous injury. In total, the injured sustained nine injuries of a simple nature, for which multiple persons, including the applicant, have allegedly been implicated.

It is further submitted that there is no possibility of the applicant of fleeing away after being released from jail or tampering with the witnesses. In case the applicant is enlarged on bail, he shall not misuse the liberty of bail.

Learned AGA and learned counsel for the complainant have opposed the bail application, submitting that the incident is captured on CCTV and is not a case of false implication; however, they do not dispute that the injured did not sustain any fractures.

Upon due consideration of the statement of the injured, the injury report, the general role assigned in the prosecution case, the absence of any specific allegation of causing injury by the applicant, and the explanation of the applicant's criminal antecedent of one case in the supplementary affidavit, coupled with the fact that the applicant is in judicial custody since 04.08.2025, this Court is of the opinion that the present case is fit for granting bail to the applicant

Accordingly, the bail application is ***allowed***.

Let the applicant ***Mukesh Yadav***, involved in Crime No. 367 of 2025, U/S- 191(2), 191 (3), 190, 333, 109 (1), 140 (1), 115 (2), 352 B.N.S., P. S.- Kotwali Nagar, District- Ayodhya, be released on bail in the aforementioned case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to following conditions:-

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial Court.

Any other condition(s) which the trial court/concerned court may deem fit and proper, in the circumstances of the case, may also be imposed.

It is clarified that the observations made in this order are confined to the present bail application and shall have no bearing on the merits of the trial.

(Karunesh Singh Pawar,J.)

December 16, 2025

R.C.