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**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 12655 of 2025

Nanhu Gautam

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko

.....Opposite Party(s)

Counsel for Applicant(s)	:	Naveen Giri, Sachida Nand Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 15

HON'BLE KARUNESH SINGH PAWAR, J.

Heard learned counsel for the applicant and learned A.G.A. for the State as well as perused the record.

In the prosecution case, it is alleged that the accused persons came to the house of the informant armed with lathis and dandas and started beating him. When his father came to his rescue, both his father and his mother were assaulted, resulting in injuries to all three persons.

Learned counsel for the applicant submits that a general role of beating has been assigned to the accused persons, resulting in injuries to three individuals. It is further submitted that during investigation the applicant was not arrested. The charge-sheet has been filed. The applicant has cooperated throughout the investigation. It is not clear from the prosecution case as to which accused caused what type of injury to which injured person. The co-accused Rajesh Gautam is shown to have sustained fractures of the parietal bone and the left frontal bone as per the CT scan report, and the injury is grievous in nature. The applicant has no criminal history. The other two injured persons have received simple injuries.

Learned counsel for the applicant submits that the co-accused Manju Gautam who was assigned the similar role has been enlarged on bail by this Court vide order dated 18.11.2025 passed in Criminal Misc. Bail Application No. 11211 of 2025. Other co-accused Ranjeet Gautam has also been enlarged on bail by this Court vide order dated 12.12.2025 passed in Criminal Misc. Bail Application No. 12498 of 2025. Learned counsel for the applicant seeks parity with the order of the co-accused named above.

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

Learned A.G.A. has opposed the bail prayer of the applicant but could not dispute the

facts mentioned above.

I have considered the arguments advanced by learned counsel for the parties as well as perused the record.

On due consideration to the facts that the charge-sheet has been filed in the matter; during investigation the applicant was not arrested; co-accused Manju Gautam has been granted bail; he is in jail since 18.9.2025; and considering the general nature of the allegations in the prosecution case, the nature of injuries sustained by the injured, the fact that the applicant has no criminal history, the existence of cross cases, as well as the period of incarceration already undergone by the applicant, and without expressing any opinion on the merits of the case, I find it to be a fit case for enlarging the applicant on bail on the ground of parity.

Accordingly, the bail application is allowed on the ground of parity.

Let the applicant- **Nanhu Gautam**, involved in case crime No. 180/2025, U/S 115(2), 352, 351(3), 110 BNS, P.S.- Paraspur, District Gonda, be released on bail in aforesaid case crime number subject to her furnishing a personal bond and two reliable sureties each in the like amount to the satisfaction of the court below concerned with the 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.

December 16, 2025
Vinay/-

(Karunesh Singh Pawar,J.)