



2025:AHJ:58349

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 9452 of 2026

Raj Kamal Pandey

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Vibhu Rai
Counsel for Opposite Party(s)	:	G.A., R.P.S. Chauhan

Court No. - 66

(Sr. No.22 out of 116)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Vibhu Rai, learned counsel for applicant, Sri Ashutosh, Advocate holding brief of Sri Atmesh Chauhan, learned counsel for the informant, Sri Rajendra Prasad Singh, learned State Law Officer for the State and perused the material placed on record.
3. The present bail application has been filed by the applicant in Case Crime No.379 of 2025, under Sections 103(1), 191(2) and 3(5) B.N.S., 2023, Police Station Karchhana, District Prayagraj with the prayer to enlarge him on bail.
4. As per prosecution story, the informant's son (now deceased) was an Army personnel and was returning from a marriage ceremony in his car along with two other persons, namely Karan Singh and Anurag Singh. At the same time, the applicant was also allegedly travelling in his Scorpio car bearing registration no. UP 70EB 5664.
5. It is alleged that a dispute arose between the two parties over overtaking of their vehicles. During the course of the said altercation, the co-accused person is stated to have intercepted the car of the deceased, whereupon the applicant allegedly assaulted the deceased on his head, thereby causing grievous injuries to him on 30.11.2025 at about 2:00 a.m.
6. Learned counsel for the applicant has stated that the applicant has been falsely implicated in the case. The statement of the informant was subsequently recorded, and he has changed his version and has stated that

the deceased was assaulted by co-accused Dinesh Kumar Yadav. Two additional eye-witnesses, namely Karan Singh and Anurag Singh, have been introduced subsequently, whose statements were recorded belatedly, and all of the witnesses have attributed the role of assaulting the deceased to co-accused Dinesh Kumar Yadav.

7. Learned counsel for the applicant has further stated that the said allegations prove the innocence of the applicant. The applicant has simply been nominated in the FIR on account of his being a police personnel. The said co-accused, Dinesh Kumar Yadav, who was subsequently nominated by the informant, has been enlarged on bail by this Court vide order dated 11.03.2026, passed in Criminal Misc. Bail Application No. 8196 of 2026; as such, the applicant is also entitled to bail. He is in jail since 01.12.2025 and is ready to cooperate with the trial. In case he is released on bail, he will not misuse the liberty of bail.

8. Per contra, learned counsel for the informant and learned State Law Officer have vehemently opposed the bail application.

9. After hearing learned counsel for the parties and taking into consideration that the applicant is named in the FIR and has been assigned the role of assaulting the deceased in it being the main assailant, I do not find it a fit case for grant of bail to the applicant. The bail application is found devoid of merits and is, accordingly, **rejected**.

10. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously as early as possible in view of the principle as has been laid down in the recent judgments of the Supreme Court in the cases of ***Vinod Kumar vs. State of Punjab; 2015 (3) SCC 220*** and ***Hussain and Another vs. Union of India; (2017) 5 SCC 702***, if there is no legal impediment.

11. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Krishan Pahal,J.)

March 19, 2026/(Ravi Kant)