



2026:AHC:212328

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35022 of 2026

Brajbhusan Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ambuj Shukla, Vimlendu Tripathi
Counsel for Opposite Party(s)	:	Ashutosh Gupta, G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Vimlendu Tripathi, learned counsel for the applicant, Sri Ashutosh Gupta, learned counsel for the informant as well as Sri Anit Kumar Shukla, learned AGA for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.212 of 2025, under Sections 191(2), 191(3), 109(1), 125, 115(2), 352, 351(2) BNS, Police Station Rura, District Kanpur Dehat, during the pendency of the trial.
4. As per prosecution story, the applicant alongwith nine other accused persons is stated to have assaulted and caused injuries to three persons on 27.6.2025 at about 12:30 p.m.
5. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The FIR is delayed by about two days and there is no explanation of the said delay caused. The applicant has been assigned the role of having carried a sharp edged weapon (Farsha), but there is no injury sustained by any of the injured persons by any sharp edged weapon. Even the injury assigned to the applicant is a lacerated wound.
6. It is further argued by learned counsel for the applicant that it is true that one of the injured persons has sustained fracture on his cranium, but there is

cross-version to the present incident as four persons from the side of applicant have also sustained injuries and an FIR No.213 of 2025 was instituted on his behalf. At this point of time, it cannot be ascertained as to which party was the aggressor one. As such, applicant is entitled to bail. The criminal history assigned to the applicant has been explained. He is in jail since 16.9.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

7. Per contra, learned counsel for the informant and learned AGA have vehemently opposed the bail application on the ground that the injury sustained by one of the injured Hari Singh was grievous in nature as he sustained depressed comminuted fracture on his right anterior frontal convexity and supra-orbital frontal plate, although no midline shift was observed in the said Cranial CT report.

8. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the fact that there is cross-version to the present incident and four persons from the side of applicant have also sustained injuries in the alleged incident and taking into account the weapon assigned to the applicant, and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is ***allowed***.

9. Let the applicant- **Brajhusan Singh**, be released on bail in the aforementioned case crime on furnishing a personal bond and two sureties to the satisfaction of the court concerned, subject to verification of sureties, with the conditions that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

10. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

October 8, 2026

Vikas Verma