



2026:AHC:208125

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35404 of 2026

Mukesh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ajai Mani Tiwari

Counsel for Opposite Party(s) : G.A., Mithilesh Kumar Shukla, Sudhir
Kumar Shukla

Court No. - 68

(Sr. No. 93 out of 278)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Ajai Mani Tiwari, learned counsel for the applicant, Sri Sudhir Kumar Shukla, learned counsel for the informant and Sri Deepak Kumar Singh, learned A.G.A. for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No. 379 of 2026, under Sections 109 (1), 115 (2), 352, 351 (3), 117(2), 118(1) B.N.S. 2023, Police Station Jait, District Mathura, during the pendency of trial.

4. Learned counsel for the applicant argued that the applicant alongwith other co-accused persons who stated to have assaulted and caused injuries to the brother of the informant on 20.05.2026 at about 12 P.M. The FIR is delayed by about 11 hours and there is no explanation of the said delay caused. The injuries sustained by the injured persons were not dangerous to life although they have been found to be grievous in nature by the doctor conducting the medical examination.

5. The counsel has further argued that one person Chandan sustained injuries from the side of the applicant also and his medical examination was conducted promptly at 22.06.2026 then the F.I.R. has been instituted as F.I.R. No. 472 of 2026 on behalf of the applicant also. There being a cross version at this point of time it cannot be ascertained which party was the aggressor. The said injuries was found on Chandan was grievous in nature as bony fracture of left side parietal bone was noted. The criminal history of one case assigned to the applicant stands explained and is in jail since 30.08.2026. He undertakes to cooperate with the trial and not misuse the

liberty of bail.

6. Learned counsel for the informant as well as learned A.G.A. has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, particularly there being cross-version to the instant case, 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***.

8. Let the applicant- **Mukesh**, 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.

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

(Krishan Pahal,J.)

October 5, 2026

Suraj Srivastav