HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL APPEAL No. - 27 of 2026

Nanhkau

.....Appellant(s)

Versus

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

.....Respondent(s)

Counsel for Appellant(s)	:	Sanat Singh, Sudhir Kumar
Counsel for Respondent(s)	:	G.A.

Court No. - 11

HON'BLE PRAVEEN KUMAR GIRI, J.

1. Heard Sri Rahul Kumar Singh, learned Advocate holding brief of Sri Sanat Singh, learned counsel for the appellant, and Sri Arun Kumar Pandey, learned A.G.A. for the State. The counter affidavit filed on behalf of the State is taken on record.

2. The present bail application has been filed on behalf of the appellant during the pendency of the criminal appeal preferred against the judgment and order dated 16.12.2025 passed by the learned Additional District and Sessions Judge, Court No. 7, Lucknow in Sessions Trial No. 183 of 2010 (State of U.P. vs. Shatrohan and Another), arising out of Case Crime No. 230 of 2011, Police Station Gosainganj, District Lucknow, whereby the appellant has been convicted under Sections 147, 148 and 307 read with Section 149 IPC and sentenced to undergo six months' rigorous imprisonment under Section 147 IPC, one year's rigorous imprisonment under Section 148 IPC and seven years' rigorous imprisonment along with a fine of Rs.10,000/- under Section 307/149 IPC, with default stipulation. All the sentences have been directed to run concurrently.

3. Learned counsel for the appellant submits that the First Information Report was lodged against two accused persons, namely, Shatrohan and the present appellant Nankau. It is submitted that the specific role of causing injuries by a sharp-edged weapon (farsa) has been assigned to co-convict Shatrohan, whereas the present appellant has only been assigned the role of wielding a hard blunt weapon (*lathi*).

4. It is further submitted by learned counsel for the appellant that P.W.-2 has also assigned separate roles to the accused persons. The role of causing injury by a sharp-edged weapon (farsa) has been assigned to co-convict Shatrohan, whereas the present appellant has been assigned the role of *lathi*. Learned counsel submits that the grievous incised injuries found on the vital parts of the bodies of the injured Kailash and Vimla, particularly on the head and parietal region, are attributable to the sharp-edged weapon allegedly used by co-convict Shatrohan. He further submits that no injury of a hard and blunt object (lathi) has been specifically attributed to the present appellant.

5. Learned counsel for the appellant contends that the role assigned to the appellant is distinguishable from that of co-convict Shatrohan, who has been attributed the main role in causing the serious injuries. It is further argued that the appeal is a continuation of the trial and, therefore, considering the nature of allegations and the role attributed to the appellant, he deserves to be enlarged on bail during the pendency of the appeal.

6. Per contra, learned A.G.A. has opposed the prayer for bail. However, he does not dispute that, as per the prosecution case itself, the specific role of causing injuries by a sharp-edged weapon (farsa) on the vital parts of the bodies of the injured persons has been attributed to co-convict Satrohan.

7. Considering the submissions advanced by the learned counsel for the parties, the nature of the allegations and the role attributed to the appellant, and without expressing any opinion on the merits of the case, this Court is of the view that the appellant, Nanhkau, has made out a case for grant of bail during the pendency of the appeal. Accordingly, he is directed to be released on bail pending disposal of the appeal.

8. Accordingly, let the appellant, **Nanhkau**, convicted and sentenced in Sessions Trial No. 183 of 2010 (State of Uttar Pradesh vs. Shatrohan and another), be released on bail on furnishing personal bond and single surety each to the satisfaction of the court concerned as per the decision in **Smt. Bacchi Devi vs. State of U.P. and Another, 2025 SCC OnLine All 5286**.

9. Realisation of the fine shall remain stayed till the final adjudication of the pending appeal.

10. In view of the above, this bail application is allowed.

Order on Appeal

List the appeal on its turn.

(Praveen Kumar Giri,J.)

June 5, 2026
DKS

Digitally signed by :-
DEEPAK KUMAR SRIVASTWA
High Court of Judicature at Allahabad,
Lucknow Bench