2026:AHC-LKO:40305

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. BAIL APPLICATION No. - 2758 of 2026

Daya Shanker @ Pandit

.....Applicant(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Deptt. Home Lko.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ambrish Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 12

HON'BLE ZAFEER AHMAD, J.

1. Counter affidavit filed on behalf of the State is taken on record.

2. Heard learned counsel for the applicant and learned AGA for the State.

3. The present bail application has been filed on behalf of the applicant **Daya Shanker alias Pandit** in Case Crime No. 437 of 2025, under Section 191(2), 191(3), 109(1), 115(2), 352, 351(3) BNS, Police Station Mankapur, District Gonda.

4. Learned counsel for the applicant has submitted that co- accused persons, namely, Ankit @ Anchit, Mahendra, Khushi Ram have already been granted bail by this Court and the bail orders have been annexed alongwith the application. Learned counsel for the appellant has therefore submitted that the present applicant-appellant is also entitled for grant of bail on the basic principle of parity.

5. It is a case of cross-FIR wherein both the parties have received injuries. It is alleged that the injuries sustained by the accused side have not been explained by the prosecution. The injuries are simple in nature except the one caused to the injured Praveen Singh which is a head injury. There are no specific or direct allegation against the applicant nor any particular role has been assigned to him by prosecution witness. The applicant is in jail since 8.12.2025.

6. It is further submitted that the applicant has no criminal history and

there is no possibility of the applicant fleeing away or tempering with the witnesses. Learned counsel for the applicant has assured that he shall make himself available for interrogation and will cooperate with the investigation as and when required.

7. Learned A.G.A. vehemently opposed the bail prayer but did not dispute the factual assertion made by learned counsel for the applicant.

8. Considering the facts and circumstances of the case and having gone through the material on record, this Court finds it a fit case for grant of bail.

10. The bail application is **allowed.**

9. Let the applicant **Daya Shanker alias Pandit** be released on bail in the aforesaid case crime number on furnishing a personal bond and two sureties in the like amount to the satisfaction of the court concerned subject to the following conditions:

> *(i) The applicant shall not tamper with the prosecution evidence.*
>
> *(ii) The applicant shall not pressurize or intimidate the prosecution witnesses.*
>
> *(iii) The applicant shall appear before the trial court on each and every date fixed unless exempted.*
>
> *(iv) The applicant shall not misuse the liberty of bail in any manner whatsoever.*
>
> *(v) In case of breach of any of the above conditions, the prosecution shall be at liberty to seek cancellation of bail.*

(Zafeer Ahmad,J.)

June 4, 2026
Fahim/-

Digitally signed by :-
MOHD FAHIM AKHTAR
High Court of Judicature at Allahabad,
Lucknow Bench