2026:AHC-LKO:41056

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. BAIL APPLICATION No. - 4132 of 2026

Brajesh

.....Applicant(s)

Versus

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

.....Opposite Party(s)

Counsel for Applicant(s)	:	Alok Kumar Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 11

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Shri Alok Kumar Mishra, the learned counsel for the applicant as well as Shri Arvind Kumar Pandey, the learned A.G.A. for the State and perused the record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 0246 of 2025, under Sections 109(1), 117(2), 191(3), 352, 115(2), 351(3) B.N.S, registered at Police Station Mallawan, District Hardoi.

3. The aforesaid case has been registered on the basis of F.I.R. lodged on11.07.2025 against five persons including the applicant and his family members, stating that the applicant and his brother had borrowed a *takhat* of the complainant about 20 days ago, but they were avoiding returning it. The informant took back the *takhat*, which was lying in front of the accused persons' house. Due to the aforesaid reason, the accused persons attacked the informant and his brother and a specific role of assaulting the informant's brother with a *lathi* has been assigned to the applicant.

4. In the affidavit filed in support of the bail application, it has been stated that the applicant is an innocent person, he has been falsely implicated in the present case and he has no criminal history. The injury reports of the complainant and his brother have been annexed along with the bail application and the injury assigned to the applicant has not been reported to be grievous in nature.

5. The learned A.G.A. has opposed the bail application and he has submitted that the allegations have been established during investigation and a charge sheet has been submitted on 23.3.2026.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the injury said to have been caused by the applicant has not been reported to be grievous in nature coupled with the fact that the applicant has no criminal history and he is languishing in jail since 14.09.2025, whereas the investigation already stands concluded, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail.

7. Accordingly, this bail application stands ***allowed***.

8. Let the applicant- ***Brajesh*** be released on bail in aforementioned case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to the following conditions:-

(i) the applicant shall not tamper with the prosecution evidence;

(ii) the applicant shall not pressurize the prosecution witnesses;

(iii) the applicant shall appear on each and every date fixed by the trial court.

June 15, 2026
DiVYa

(Subhash Vidyarthi,J.)

Digitally signed by :-
DIVYA SINGH
High Court of Judicature at Allahabad,
Lucknow Bench