2026:AHC-LKO:41682

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. BAIL APPLICATION No. - 4284 of 2026

Sultan

.....Applicant(s)

Versus

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

.....Opposite Party(s)

Counsel for Applicant(s)	:	Rajiv Mishra, Anjali Dubey, Soniya Mishra Soni Pathak
Counsel for Opposite Party(s)	:	G.A.

Court No. - 13

HON'BLE AVNISH SAXENA, J.

1. Ms. Anjali Dubey, leaned counsel for applicant hands up the supplementary affidavit explaining the criminal history of applicant in one case, today in Court and the same is taken on record.

2. Heard learned counsel for applicant and learned A.G.A. for State.

3. The present bail application has been moved by the applicant-accused Sultan for the offence punishable under Sections 109, 324(2)/3(5) of B.N.S. in Case Crime No.351 of 2025, Police Station- Mill Area, District Raebareli.

4. It is contended on behalf of accused-applcant that applicant has been falsely implicated in the FIR dated 29.08.2025 lodged by the injured-informant with the allegation that accused-applicant who is a truck driver has intentionally committed accident by his truck due to which the informant suffered injuries. The X-Ray report shows that fracture of left tibia bone. It is further contended that accused-applicant and informant were having previous enmity. The medico-legal examination report of the injured at Rana Beni Madhav Singh, District Hospital, Raebareli clearly shows that it is a case of road accident. After delay of two days, the FIR was purposefully lodged against the accused persons and other co-accused, merely because the accused applicant and informant were having enmity. The other co-accused persons have already been granted bail. The charge sheet has been submitted on 22.10.2025. The accused-applicant is in jail since 30.08.2025. As such, he prays that the accused/applicant be enlarged on bail.

4. Per contra, learned A.G.A. has opposed the bail application and submits that the specific allegation has been made against the accused-applicant. The applicant is a truck driver and he has main role in the incident. The bail application is misconceived and is liable to the rejected. As per instructions received, the charge sheet has been submitted on 22.10.2025.

5. This court has taken into consideration the rival submissions made by learned counsel for the parties and perused the records.

6. Considered the medico-legal examination report of the injured-informant which shows the incident was a road accident. There is a delay in lodging the FIR. The accused-applicant has explained his criminal history in supplementary affidavit. The accused-applicant is languishing in jail since 30.08.2025.

7. Hence, without touching merit of the case, the bail application is **allowed**.

8. The accused/applicant be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of court concerned in view of observation made by the Supreme Court in its dictums of **Girish Gandhi Vs. State of Uttar Pradesh [(2024) 10 SCC 674] and Policy Strategy for grant of bail in re [(2024)10SCC 685].**

9. The accused-applicant shall cooperate in judicial process for fair and speedy disposal.

June 22, 2026
Arti/-

(Avnish Saxena,J.)

Digitally signed by :-
ARTI MAURYA
High Court of Judicature at Allahabad,
Lucknow Bench