2026:AHC:212444

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35035 of 2026

Ashish Mishra

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Ambreen Masroor, Sadrul Islam Jafri, Sr. Advocate

Counsel for Opposite Party(s) : G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Heard Sri N.I. Jafri, learned Senior Counsel assisted by Sri Raza Hasnain, learned counsel for accused applicant and learned A.G.A. for State.

2. The present bail application has been moved by the applicant accused-**Ashish Mishra** to enlarge him on bail in Case Crime No. 125 of 2026, under Sections 115(2), 131, 352, 308(4), 109(1), 3(5) of BNS, P.S.-Kidwai Nagar, District- Kanpur Nagar, during the pendency of trial.

3. It is the contention of learned Senior Counsel that the accused applicant has been falsely implicated in FIR dated 24.05.2026 lodged by Mohd. Sagir, father of injured against two named and one anonymous person with the allegation that on 22.05.2026, four persons on two motorcycles came to the tea kiosk of his son Sajid and asked for money for the purchase of liquor, on refusal they have started pelting stones. Due to which he suffered injuries. It is the contention of learned counsel that FIR is delayed without explanation. There is solitary injury on the person of injured, which is fracture of the parietal bone. It is further submits that there is no other injuries though four persons were shown pelting stones. The accused applicant has criminal history of one case wherein he is on bail. The charge sheet is submitted. The trial is at the nascent stage. The accused applicant is languishing in jail since 26.05.2026. He seeks enlargement of accused on bail.

4. Learned A.G.A. for State opposed the bail application.

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

6. Considering the nature and number of injuries on the person of injured, general role is attributed on the accused applicant, the accused/applicant is entitled to be released on bail.

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.

(Avnish Saxena,J.)

October 9, 2026
Sharad/-

Digitally signed by :-
SHARAD KUMAR SRIVASTAVA
High Court of Judicature at Allahabad