2026:AHC:208562

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 32640 of 2026

Arman @ Ovaish

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Ramajan Ahmad
Counsel for Opposite Party(s) : G.A., Gowri Chauhan, Shiv Pratap Singh Chauhan

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Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Ms. Apsara Chaudhary, learned counsel holding brief appeared for accused applicant hands up supplementary affidavit, the same is taken on record.

1A. Heard Ms. Chaudhary, learned counsel holding brief appeared for accused applicant, Sri S.P.S. Chauhan, learned counsel for informant and learned A.G.A. for State.

2. The present bail application has been moved by the applicant accused-**Arman @ Ovaish** to enlarge him on bail in Case Crime No. 323 of 2025, under Sections 109, 115(2), 351(3), 352, 324(4), 333, 3(5), 117(2), 118(1), 118(2) of BNS, P.S.- Bhojipura, District- Bareilly, during the pendency of trial.

3. It is the contention of learned counsel for applicant that the accused applicant has been falsely implicated in FIR dated 11.04.2025 lodged by the informant Yusuf against 22 named persons including the accused applicant with the allegation that there was dispute among the children, which led to the assault on four persons namely Anees, Ajeem, Yunus and Saira Bano out of them Anees suffered grievous injury, he suffered fracture of his hand. It is the contention of learned counsel that general role is assigned to all the accused persons that they have entered the house with lathi-danda and committed assault. It is further contended that the applicant and opposite party are neighbours, there is a cross FIR lodged by the accused persons, but the proceeding is stayed by this Court. Further

contended that the accused applicant has no criminal history and one case of criminal history which is shown by the State, is not against the applicant. Charge sheet is submitted. The other co-accused have already been granted bail by co-ordinate Bench of this Court. The accused applicant is languishing in jail since 18.08.2026. He seeks enlargement of accused on bail.

4. Learned counsel for informant and learned A.G.A. for State opposed the bail application and submit that the accused applicant has a main role assigned for hitting the injured Anees, who suffered fracture. Further submits that there are photographs to show the complicity of accused applicant. The injuries are grievous in nature. Hence, the bail application be rejected.

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

6. Considering the cross version of FIR and no specific role is assigned to the accused applicant in the FIR as well as the weapon used, 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 6, 2026
Sharad/-

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