2026:AHC:210556

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35736 of 2026

Rahul Yadav @ Prashant Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Dhirendra Kumar Srivastava
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Dhirendra Kumar Srivastava, learned counsel for the applicant and Sri Shatrughan Yadav, learned AGA, for the State.

2. The instant bail application has been filed on behalf of the applicant with the prayer to release him on bail in Case Crime No.236 of 2026, under Sections 352, 351(2), 103(1) and 109 BNS, Police Station Chandauli, District Chandauli during pendency of the trial.

3. Learned counsel for the applicant submits that however, applicant was named in the FIR and according to the FIR, due to dispute applicant and other accused made assault due to which two persons sustained injuries but entire allegations levelled against the applicant are totally false.

4. He further submits that initially FIR of the present case was lodged for offence punishable under Sections 352,109 and 351(2) BNS but when after four days one of the deceased, i.e., aunt of the informant died then case was converted for offence punishable under Section 103(1) BNS.

5. He further submits that however, in the FIR only general role of assault has been made to all the accused but during investigation when Investigating Officer recorded the statement of injured Keshav, the husband of the deceased, then he categorically stated that co-accused Dayashanker Yadav caused injuries to the deceased and to him and he even did not disclose the name of the applicant.

6. He further argued that considering the statement of injured Keshav, involvement of the applicant prima facie appears to be doubtful.

7. He further argued that applicant is not having any previous criminal history and in the present matter he is in jail since 26.5.2026, i.e., for the last more than three months.

8. Per contra, learned AGA although opposed the prayer for bail but could not dispute the argument on facts advanced by the learned counsel for the applicant.

9. I have heard learned counsel for the parties and perused the record of the case.

10. However, in the alleged incident one person died and one person sustained injuries and applicant is also named in the FIR but considering the statement of Keshav, the injured who is the husband of the deceased, it reflects that he did not disclose the name of the applicant and according to him, co-accused Dayashanker Yadav caused injuries to him as well as to the deceased.

11. Further, applicant is not having any previous criminal history and in the present matter he is in jail since 26.5.2026, i.e., for the last more than thre months.

12. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

13. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is allowed.

14. Let the applicant-**Rahul Yadav @ Prashant Yadav** 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 the court concerned with the following conditions:-

(i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

15. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

16. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Sameer Jain,J.)

October 7, 2026
SKM

Digitally signed by :-
SAMEER JAIN
High Court of Judicature at Allahabad