HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37850 of 2026

Vikas Harijan

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

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

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Ashwani Kumar Pathak, Advocate holding brief of Sri Brijesh Kumar Mishra, learned counsel for the applicant, Ms. Ifrah Islam, learned State Law Officer for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.384 of 2026, under section 109(1), 3(5) of Bhartiya Nyay Sanhita, 2023, Police Station- Gauri Bazar, District-Deoria, during the pendency of trial.

4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The role of catching hold has been assigned to the applicant and two other accused persons, namely, Rakesh and Sugreev. The main role of assaulting and causing stab wound has been assigned to co-accused Abhishek Gaur only. The FIR itself is delayed by about one day and there is no explanation of the said delay caused. The applicant has no criminal history and is in jail since 16.9.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

5. Learned State Law Officer has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

6. Considering the facts and circumstances of the case, submissions made by

learned counsel for the parties, the evidence on record, taking into consideration the delay in institution of FIR and the case of applicant being distinguished, and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is ***allowed***.

7. Let the applicant- **Vikas Harijan**, be released on bail in the aforementioned case crime on furnishing a personal bond and two sureties to the satisfaction of the court concerned, subject to verification of sureties, with the conditions that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

8. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

October 24, 2026
Vikas Verma

Digitally signed by :-
VIKAS VERMA
High Court of Judicature at Allahabad