



2026:AHC:162482

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 26902 of 2026

Ankur And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Awadhesh Kumar Mishra
Counsel for Opposite Party(s)	:	Arvind Kumar, G.A.

Court No. - 68
(Sl. No. 13 out of 139)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Awadhesh Kumar Mishra, learned counsel for the applicants, Sri Vindhreshwari Prasad, learned Advocate holding brief for Sri Arvind Kumar, learned counsel for informant as well as Sri V.K.S. Parmar, learned A.G.A. for the State and perused the record.

3. Applicants seek bail in Case Crime No.468 of 2026, under Sections 115(2), 118(1), 351(2), 352, 109(1), 3(5) BNS and 4/25 Arms Act, Police Station Indirapuram, District Ghaziabad, during the pendency of trial.

PROSECUTION STORY:

4. The applicant is stated to have assaulted the brother of informant with knife on 7.6.2026 between 9.30 and 10.00 pm, whereby the victim was admitted Atlanta Hospital Ghaziabad, and thereupon the FIR was instituted by the informant.

ARGUMENTS ON BEHALF OF APPLICANTS:

5. The applicants are absolutely innocent and have been falsely implicated in the present case. The FIR is delayed by more than three hours and there is no explanation of the said delay caused.

6. There are general and omnibus allegations against both the accused

persons but only one stab wound has been sustained by the injured person. It is true that a knife was found embedded in the lower back of the victim but the said injury was the sole injury sustained by him and it has nowhere come up as to who was the author of the said injury, as such, applicants are entitled for bail.

7. The treatment of the injured person continued for about three and a half days only and thereafter he was discharged, which indicates that the injury was not grievous in nature. There is no criminal history of the applicants. The applicants are languishing in jail since 11.7.2026 and are ready to cooperate with trial. In case, the applicants are released on bail, they will not misuse the liberty of bail.

ARGUMENTS ON BEHALF OF STATE/INFORMANT:

8. The knife was found embedded on the body of the injured and it was removed by the doctor concerned and handed over to the police. The delay in FIR stands explained, as it was paramount duty of the informant to rush his brother to hospital immediately.

CONCLUSION:

9. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, and taking into consideration the fact that there are general and omnibus allegations against both the accused persons, without expressing any opinion on the merits of the case, the Court is of the view that the applicants have made out a case for bail. The bail application is **allowed**.

10. Let the applicants- **Ankur and Sandeep Chaudhary**, involved in aforementioned case crime number be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions.

- (i) The applicants shall not tamper with evidence during trial.
- (ii) The applicants shall not pressurise/intimidate with the prosecution witnesses.
- (iii) The applicants shall appear before the trial court on the date fixed.

11. In case of breach of any of the above conditions, it shall be a ground for

cancellation of bail. Identity, status and residence proof of the applicants and sureties be verified by the court concerned before the bonds are accepted.

12. It is made clear that observations made in granting bail to the applicants shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

August 4, 2026
Shalini