



2026:AHC:179417

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 30071 of 2026

Rajat Arya

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Sr. Advocate, Vikrant Gupta, Yawar Mukhtar

Counsel for Opposite Party(s) : G.A., Krishna Gopal

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Heard Sri Mukhtar Alam, learned Senior Advocate, assisted by Sri Vikrant Gupta, learned counsel for the accused-applicant, Sri Krishna Gopal, learned counsel for the informant and learned A.G.A. for the State.
2. The present bail application has been moved by the accused-applicant **Rajat Arya** to enlarge him on bail in Case Crime No. 869 of 2026, under Sections 127(2), 352, 351(2), 74, 131, 115(2), 109 BNS, P.S.- Baradari, District- Bareilly, during the pendency of trial.
3. It is contended by learned counsel for the accused-applicant that the informant and accused both are advocates by profession. The informant is the senior of the applicant. The accused-applicant has recently joined the informant after pursuing the law. The allegation in the F.I.R. dated 03.07.2026 is such that the accused-applicant has made certain indecent post in a whatsapp group about the wife of the informant. The informant and his wife came to the house of accused-applicant, who is in the same vicinity, to raise objections to his parent, namely, Sanjay Gupta, the co-accused and mother. They have called them inside the house to have a talk during which the accused-applicant became violent and started hurling abuses. When the informant has opposed the conduct of the accused, the accused-applicant has assaulted with iron rod on the head of the informant and his wife. Further submitted by learned Senior Advocate that both suffered simple injuries as one injury suffered by Smt. Deepti and one suffered by informant. The injury suffered by the informant is

head injury, which has no supplementary medical report to show that it is fracture. Further submits that the mother of accused also suffered injuries and the sister of accused-applicant got the F.I.R. registered against the informant and his wife. Further submits that the F.I.R. is not under the provisions of I.T. Act. All other allegations levelled against the accused-applicant is of disrobing the modesty of the wife of informant, which is merely to give the colour to criminal incident. The applicant has no criminal history. The applicant is in jail since 03.07.2026 and hence, the applicant seeks to be released on bail.

4. Learned counsel for the informant and learned A.G.A. for State have opposed the prayer for bail of the applicant and submitted that there is recovery of danda from the accused at his instance. Both the informant and his wife suffered injuries in the incident. The injury suffered by the informant is on vital part, which is head and hence, the bail application be rejected.

5. Countering the arguments, learned Senior Advocate submits that the specific allegations is of using the iron rod, whereas, danda has been recovered, which is in absence of independent witness.

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

7. Considered the role of accused-applicant; the counter blast F.I.R.; the incident occurred allegedly in the house of accused-applicant and there is nothing on record to show the indecent post uploaded by the accused-applicant. Further cross F.I.R., cross version of case, wherein both the side suffered injuries.

8. Hence, without touching merit of the case, the bail application is **allowed**.

9. 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].

10. The accused-applicant shall cooperate in judicial process for fair and speedy disposal.

(Avnish Saxena,J.)

August 25, 2026

Shivangi