



2026:AHC:162500

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 7770 of 2026**

Govind

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Ramanand Tiwari, Shiv Sharan
Tripathi
Counsel for Opposite Party(s): Ashwani Tripathi, G.A., Ramanuj
Tripathi

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard learned counsel for the applicant; and learned A.G.A. for the State.
2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 70 of 2026, under Sections 191(2), 191(3), 115(2), 352, 351(3), 125, 109(1) of the B.N.S., 2023, Police Station –Akarabad, District Aligarh, with a prayer to enlarge him on anticipatory bail, as the applicant apprehends his arrest in the aforesaid case.
3. The learned counsel for the applicant states that the applicant has been falsely implicated in the present case. The FIR has been lodged after 6 days of occurrence and no plausible explanation has been given for the delay in lodging the first information report. Learned counsel further contended that although there are four injured, however the accused persons who are 8 in number, could not even cause any grievous injury to any of the injured. Sharp edged weapons have been assigned to Amit, Prashant and the applicant, Govind, however there is no sharp edged injury on the person of any of the injured. After more than 3 months of the occurrence, the applicant has been given the specific role of using an iron rod to cause head injury to the injured Ratnesh who allegedly received a linear undisplaced fracture involving the left parietal bone. Learned counsel further contends that it is a counter blast case to the first information report that was lodged on 09.02.2026 by the accused,

Prashant Kumar for an occurrence dated 06.02.2026 in which the informant, Kuldeep is also one of the accused.

4. Learned counsel for the informant and also learned A.G.A. have opposed the prayer for grant of anticipatory bail and contended that specific role has been assigned to the applicant for using an iron rod to cause grievous injury to injured Ratnesh. There are independent witness who has supported the prosecution version. The applicant and the other accused have brutally assaulted the informant to grievous injury received by Ratnesh injuries, multiple injuries being received by two other injured.

5. I have considered the submissions made by the learned counsel for the parties.

6. The applicant is not stated to have caused any grievous injury. Out of 3 the injured, the injured Kuldeep has received single lacerated wound on the bone deep at scalp. The said injury has not been found to be grievous in nature. The injured Rajesh is said to have been received single abrasion on the right thigh which has also not been found grievous in nature. The injured Ratnesh is said to have received two injuries, one is lacerated wound and the other is traumatic swelling. The head injury received by the injured Ratnesh shows a linear undisplaced fracture involving the left parietal bone. It is this injury which has been later on attributed to the applicant.

7. Prima facie, from the perusal of the first information report and number and nature of injuries received by injured, over implication cannot be ruled out. The specification of the role of using an iron rod has been made after 3 months of the occurrence, when in the first information report sharp edged weapon has been given to the applicant also prima facie appears to be an after thought. The applicant has a criminal history of one case in which final report is said to have been filed.

8. Taking into consideration the entire facts and circumstances of the case, as discussed above, I deem it appropriate to enlarge the applicant on anticipatory bail.

9. The anticipatory bail application of the applicant is **allowed**.

10. In the event of the arrest of the applicant- **Govind**, involved in the aforesaid case crime, he shall be released on anticipatory bail, on his furnishing a personal bond and surety in the like amount to the

satisfaction of the Station House Officer of the police station/Court concerned, with the following conditions:-

- i. The applicant shall make himself available for interrogation by a police officer as and when required;
- ii. The applicant shall not, directly or indirectly make any 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 to any police officer;
- iii. The applicant shall not leave India without the previous permission of the Court;
- iv. The applicant shall not pressurize/intimidate the prosecution witness;

11. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

12. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

August 3, 2026
Priyanka

(Rajiv Lochan Shukla,J.)