



2026:AHC:14697

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2032 of 2026

Ajit Yadav @ Bikki Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Arvind Prabodh Dubey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard learned counsel for the applicant and Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 679 of 2025, under Sections 115(2), 191(2), 191(3), 103(2), 190 BNS,, Police Station Barhalganj, District Gorakhpur, 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 FIR is delayed by about twenty hours and there is no explanation of the said delay caused.
5. Learned counsel for the applicant has further argued that the applicant is not named in the FIR. His name has come up subsequently, in some footage seen by the son of the informant Rahul. The name of the applicant has been subsequently added, as an afterthought. There are general and omnibus allegations against all the accused persons. No particular overt act has been assigned to the applicant.
6. There is a statement of one Dr. Shantanu, who had treated the injured persons at Durgawati Hospital, Gorakhpur. He has stated that the informant had told him that the deceased sustained injuries in a road accident, as such, he is entitled for bail.

7. There is no criminal history of the applicant. The applicant is languishing in jail since 2.12.2025 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

8. Learned A.G.A. has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

9. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the statement of the doctor, the delay in lodging of FIR and the fact that the applicant is not named therein 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**.

10. Let the applicant- **Ajit Yadav @ Bikki Yadav**, who is involved in aforementioned case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

- (i) The applicant shall not tamper with evidence during trial.
- (ii) The applicant shall not pressurise/intimidate with the prosecution witnesses.
- (iii) The applicant 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.

12. It is made clear that observations made in granting bail to the applicant 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.)

January 21, 2026
Shalini