



2026:AHC:1060

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 45600 of 2025

Gajram @ Gajraj

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Lal Chandra Mishra
Counsel for Opposite Party(s)	:	Ajay Kumar, G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Lal Chandra Mishra, learned counsel for applicant, Sri Ajay Kumar, learned counsel for the informant, Ms. Ifrah Islam, learned State Law Officer for the State and perused the material placed on record.
3. The present bail application has been filed by the applicant in Case Crime No.250 of 2025, under Sections 103(1), 115(2), 117(2), 352 B.N.S., Police Station Mundapandey, District Moradabad with the prayer to enlarge him on bail.
4. As per prosecution story, the daughter of the applicant is stated to have entered into an altercation with the deceased person and his family members and had started abusing them, whereby on being asked to refrain from doing so, the applicant is stated to have rushed there and hit the informant, his mother and father on 19.06.2025 at about 9:00 a.m.
5. Learned counsel for the applicant has stated that the FIR is delayed by about six hours and there is no explanation of the said delay caused. The injuries sustained by the informant are simple in nature. No fracture was observed on his body. It is a case of sudden provocation and there was no premeditated effort of the applicant to commit the said offence, as such, the applicant is entitled for bail. He is in jail since 22.06.2025 and is ready to cooperate with trial. In case, he is released on bail, he will not misuse the liberty of bail.

6. Per contra, learned counsel for the informant and learned State Law Officer have vehemently opposed the bail application on the ground that there are three injured persons and one of them succumbed to the injury on the third day of the incident. Another injured person, mother of the informant, has also sustained grievous injuries as two bones of her body were found fractured, namely, radius and shaft humerus of her arm, as such, the applicant is not entitled for bail.

7. After hearing learned counsel for the parties and taking into consideration the fact that the applicant has assaulted three persons and the said rod has been recovered at his pointing out and there being two fractures sustained by the injured person, I do not find it a fit case for grant of bail to the applicant. The bail application is found devoid of merits and is, accordingly, **rejected**.

8. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously as early as possible in view of the principle as has been laid down in the recent judgments of the Supreme Court in the cases of ***Vinod Kumar vs. State of Punjab; 2015 (3) SCC 220*** and ***Hussain and Another vs. Union of India; (2017) 5 SCC 702***, if there is no legal impediment.

9. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Krishan Pahal,J.)

January 6, 2026

(Ravi Kant)