



2026:AHC-LKO:20564

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 1583 of 2026

Mahendra Kumar

.....Applicant(s)

Versus

State Of U.P. Thru. Secy. Home Lko.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Manisha Trivedi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 15

HON'BLE KARUNESH SINGH PAWAR, J.

Heard learned counsel for the applicant and learned A.G.A. for the State.

The accused-applicant seeks bail in Case Crime No. 0603 of 2025 under Sections 3(5), 109(1), 115(2), 352, 351(3) BNS, Police Station Mohammadpur Khala, District Barabanki.

In the prosecution case, it is alleged that on 20.11.2025 at about 4:30 p.m., while the brother of the complainant was standing near the temple, the named accused persons, due to old enmity and with the intention to kill, assaulted him with common intention. Upon hearing the hue and cry, the complainant and other family members went to rescue him, but they were also beaten by the accused persons.

Submission of learned counsel for the applicant is that the injured, Shailendra, has assigned only a general role of causing injury to the applicant and no specific role has been attributed to him. Likewise, the other injured persons have also assigned a general role to the applicant. It is further submitted that the applicant has explained criminal history of one case in paragraph 23 of the bail application and cross F.I.Rs. have been registered by both sides.

Learned counsel for the applicant submits that co-accused Sarvesh Kumar has already been granted bail by this Court vide order dated 16.03.2026 passed in Bail Application No. 1452 of 2026. It is further submitted that

another co-accused, namely Sunita, has also been enlarged on bail by this Court vide order dated 19.02.2026 passed in Criminal Misc. Bail Application No. 12740 of 2025. The applicant, therefore, seeks parity with the bail orders granted to the aforesaid co-accused persons.

It is further submitted that there is no likelihood of the applicant fleeing from justice or tampering with the prosecution witnesses after being released on bail. In case the applicant is enlarged on bail, he shall not misuse the liberty of bail.

Learned A.G.A. has opposed the bail prayer of the applicant and submitted that the injured, Shailendra, sustained a fracture of the left occipital bone and temporo-parietal bone along with soft tissue scalp edema.

I have considered the arguments advanced by learned counsel for the parties as well as perused the record.

On due consideration of the facts that co-accused Sarvesh Kumar and Sunita has been granted bail; general allegations of causing injury to the injured, Shailendra, have been made against seven persons; it is not clear from the prosecution case as to who caused the grievous injury; coupled with the fact that the applicant has explained the criminal history of one case in paragraph 23 to the bail application; he is in jail since 16.12.2025; and without expressing any opinion on the merits of the case, I find it to be a fit case for enlarging the applicant on bail.

Accordingly, the bail application is allowed.

Let the applicant, **Mahendra Kumar** involved in the aforesaid F.I.R./Case Crime number, be released on bail in the aforementioned case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Magistrate/Court concerned, subject to the following conditions:-

- (i) The applicant shall not tamper with the prosecution evidence;
- (ii) The applicant shall not pressurize or intimidate the prosecution witnesses;
- (iii) The applicant shall appear on each and every date fixed by the trial

Court.

Any other condition(s) which the trial court/concerned court may deem fit and proper in the circumstances of the case may also be imposed.

It is clarified that the observations made in this order are confined to the present bail application and shall have no bearing on the merits of the trial.

(Karunesh Singh Pawar,J.)

March 20, 2026
R.C.