



2026:AHC-LKO:22290

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 10886 of 2025

Surendra

.....Applicant(s)

Versus

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

.....Opposite
Party(s)

Counsel for Applicant(s) : Anand Kumar Srivastava, Ankur
Yadav, Jagdish Pratap Pandey
Counsel for Opposite Party(s) : G.A.

Court No. - 28

HON'BLE RAJEEV BHARTI, J.

1.The present bail application has been filed seeking bail in case crime No.0422 of 2025 under sections 333, 110, 115(2), 352, 351(3), 109(1) BNS, P.S. Pura Kalandar, district Ayodhya.

2.Heard learned counsel for the applicant and learned Additional Government Advocate for the State.

3.It is alleged in the prosecution case that on 20.6.2025, there was engagement ceremony in the neighbourhood. In the night, the accused Goloo was misbehaving with his daughter. On 25.6.2025 again, when Goloo again came near the accused's house, he again started making gestures. On being objected, the accused applicant and Goloo with an intent to kill attacked Mansi, the victim. On hearing the commotion, Nirmala and Vikram reached the spot, but they were also beaten with lathi and danda, due to which Vikram and Mansi became unconscious. Thereafter, Goloo and Surendra fled from the spot with threat to kill.

4.Learned counsel for the applicant submits that the applicant is innocent. He has been falsely implicated due to neighbourhood enmity. It is submitted that in her statement under section 180 BNSS, the victim Mansi has not assigned any kind of involvement of the applicant in the alleged incident. However, in her statement under section 183 BNSS, she has made improvement and made allegation against the present applicant. It is

submitted that the co-accused Umesh alias Golu who is the distant relative of the accused applicant had come to the house of the complainant and flirted with Mansi and thereafter, an incident of marpeet had taken place, in which Vikram has sustained head injury having been caused by Golu and not by the applicant. The applicant has no criminal history. He is in jail since 28.6.2025

5. Learned Addl. Government Advocate has opposed the prayer made by applicant's counsel. He submits that the accused applicant along with the co-accused has assaulted the complainant's son, daughter and wife and caused serious injuries.

6. I have considered the submission and perused the record.

7. A perusal of the record shows that the applicant along with the co-accused Goloo has caused serious injuries to Vikram, as also two other injured. The injured Vikram has sustained the following main injuries :

"Description (विवरण) : अवलोकन मेडिकल सपलीमेन्ट्री रिपोर्ट..... SUPPLEMENTARY INJURY REPORT

(AS PER BED HEAD TICKET) NAME: VIKRAM ADDRESS: VILL: FAIZABAD BHARAT KUND AGE/SEX: 28 YEARS/MALE S/O: RAM GOPAL PURAKHANDER CITY: FAIZABAD THANA: AYODHYA STATE: UTTAR PRADESH DATE OF ADMISSION: 27.06. 2025 DATE OF DISCHARGE: 12.07.2024 REPORT: POST: DARSHAN NAGAR ALLEGED H/O OF PHYSICAL ASSAULT ON 25.06.2025 IN AYODHYA HISTORY OF LOSS OF CONSCIOUSNESS (PRESENT). HISTORY OF VOMITING (ABSENT) HISTORY OF SEIZURES (ABSENT) HISTORY OF EAR BLEED (ABSENT) NOSE BLEED (ABSENT) THROAT BLEED (ABSENT) NO HISTORY OF HYPERTENSION T2DM/TUBERCULOSIS/ASTHMA/DRUG ALLERGY. ON EXAMINATION: VITALS STABLE. CHEST/CVS/PA: NAMD GCSEIVETM2 PUPILS: B/L NS/FIXED CHEST PSLVIC COMPRESSION NEGATIVE NO LONG BONE TENDERNESS DIAGNOSIS: B/L PARIETAL BONE FRACTURE WITH RIGHT TEMPORO PARIETAL CONTUSION WITH LEFT PARIETAL CONTUSION WITH BRAIN STEM CONTUSION PROCEDURE: RIGHT FRONTO TEMPORO PARIETAL DECOMPRESSIVE CRANIECTOMY WITH TEMPORAL LOBECTOMY WITH DURAL LEFT OPEN WITH MASS CLOSURE WITH BONE FLAP IN AAW (TOTAL 4 PIECES) WITH LUMBAR DRAIN PLACEMENT ON 28.06.2025 COURSE IN HOSPITAL: IN THE POST OPERATIVE PERIOD TRACHEOSTOMY DONE ON 29.06.2025 IN VIEW OF POOR GCS. RYLES TUBE FEEDING STARTED, AGGRESSIVE CHEST/LIMB PHYSIOTHERAPY DONE LUMBAR DRAIN WAS REMOVED ON POST OPERATIVE DAY FIVE.

GRADUALLY PATIENT GCS WAS IMPROVED TO E2VTM3. PATIENT STITCHES WERE REMOVED AND ATTENDENT WERE WELL EXPLAINED ABOUT CARE OF TRACHEOSTOMY, RYLES TUBE FEEDING AND CHEST AND LIMBS PHYSIOTHERAPY. ON 12.07.2025 PATIENT WAS DISCHARGED ON ORAL MEDICATION AND BEING REFERRED TO NEARBY GOVERNMENT HOSPITAL FOR NURSING CARE AND ADVISED TO REGULARLY FOLLOW UP IN NEUROSURGERY OPD D. Aul (DR. ANKAN BASU) SENIOR RESIDENT, DEPARTMENT OF NEUROSURGERY, K.G.S MEDICAL UNIVERSITY, LUCKNOW.."

Statement of Dr. Ankan Basu is extracted below :

"बयान चिकित्सक..... डाक्टर श्री अंकन बासू सीनियर रेजिडेंट डिपार्टमेंट ऑफ न्यूरोसर्जरी अधीक्षक के.जी.एम.यू. लखनऊ ने पूछ ताछ करने पर बताया कि मजरूब विक्रम पुत्र रामगोपाल उम्र करीब 28 वर्ष नि0 ग्राम मिर्जापुर निमौली थाना पूराकलन्दर जनपद अयोध्या का ईलाज मेरे द्वारा दिनांक 27/06/2025 से 12/07/2025 तक किया गया मजरूब विक्रम की स्थिति काफी नाजुक बनी हुयी थी उसके सर में गंभीर चोट आयी थी। मजस्य UNCONSCIOUS स्थिति में है विक्रम का शरीर किसी भी प्रकार का रेस्पोंड नहीं कर रहा है B/L PARIETAL BONE FRACTURE WITH RIGHT TEMPORO PARIETAL CONTUSION WITH LEFT PARIETAL CONTUSION WITH BRAIN STEM CONTUSION का होना पाया गया है। आगे मरीज की स्थिति कब सही होगी कुछ कहा नहीं जा सकता। यही मेरा बयान है "

8.From the injuries sustained by the injured Vikram, it cannot be said that the accused applicant has been falsely implicated. The accused applicant along with the co-accused with common intent have caused serious injuries on the injured Vikram. The first information report names the present applicant along with co-accused Goloo. The applicant prima facie appears to have attempted to kill the complainant's son. The injured became unconscious due to head injuries sustained by him and he was referred to Medical College, Lucknow. The complainant in his statement before the investigating officer has reiterated the version in the first information report. The victim Mansi too in her statement under section 183 BNSS has made serious allegation against the applicant and supported the prosecution case. The injured Nirmala in her statement under section 180 BNSS has made specific allegation of assault by the applicant and the co-accused on all the three injured, including Vikram who, as noted above, has sustained serious injury on vital part. The independent witness Vishal

too has stated in specific terms that both the accused persons have assaulted the injured Vikram on his head with danda and have caused injuries to Manshi and Nirmala as well. The prosecution story of causing serious assault is corroborated with the supplementary injury report of the injured Vikram.

9. In view of the above, no case for bail is made out, at this stage. The application is accordingly rejected.

(Rajeev Bharti,J.)

March 30, 2026

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