



2026:AHC:126648

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 17774 of 2026

Karan Joshi

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Keshari Nath Tripathi, Yawar Mukhtar
Counsel for Opposite Party(s)	: G.A., Kuldeep Tripathi, Shiv Shanker Mishra

Court No. - 6

HON'BLE MRS. VANI RANJAN AGRAWAL, J.

1. Heard Mr. Mukhtar Alam, learned Senior Counsel assisted by Mr. Keshari Nath Tripathi, learned counsel for the applicant, Mr. Pankaj Kumar Tripathi, learned AGA for the State, Mr. Shiv Shanker Mishra, learned counsel for the informant and perused the record.

2. The instant bail application has been filed on behalf of the applicant with a prayer to release him on bail in Case Crime No.0169 of 2026, under Sections 115(2), 109(1) BNS, Police Station Nai Mandi, District Muzaffar Nagar.

3. It is contended by the learned counsel for the applicant that the applicant has been falsely implicated in the present case due to ulterior motives. It is submitted that as per the allegations contained in the FIR, the applicant along with the co-accused persons, is alleged to have assaulted the son of the informant with sticks and iron rods, resulting in grievous injuries. It is further contended that the alleged incident is stated to have occurred on 06.04.2026 at about 10:00 p.m., whereas the impugned FIR was lodged only on 07.04.2026 at about 6:52 p.m. after due deliberation and consultation, without any plausible explanation for the delay. Learned counsel further submits that a perusal of the FIR as well as the statement of the informant reveals that only a general and omnibus allegation of assault has been levelled against all the accused persons, including the present applicant. No specific role has been assigned to the applicant. It is further contended that all the injuries sustained by the injured are simple in nature. No X-ray examination was advised nor has any supplementary injury report been

brought on record. So far as the alleged recovery of a danda and an iron chain is concerned, it is submitted that the said recovery is false and planted. Moreover, there is no independent witness to support the alleged recovery proceedings.

4. Several other submissions in order to demonstrate the falsity of the allegations made against the applicant have also been placed forth before the Court. The circumstances which, according to the counsel, led to the false implication of the accused has also been touched upon at length. It has been assured on behalf of the applicant that he is ready to cooperate with the process of law and shall faithfully make himself available before the court whenever required. It has also been submitted that the applicant is having no previous criminal history and is languishing in jail since 09.04.2026.

5. Learned A.G.A. as well as learned counsel for the informant vehemently opposed the prayer for bail and have submitted that the applicant is specifically named in the First Information Report. According to the prosecution, the applicant along with the co-accused persons, severely assaulted the injured, causing serious injuries. Because of these injuries, the victim had to be admitted to the ICU for 10 days. The witnesses have also supported the prosecution's version of events. They lastly contended that on the face of the available evidence, a case appears to be made out against the applicant, hence, the bail application may be rejected.

6. Considering the nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence, reasonable apprehension of tempering of the witnesses and prima facie satisfaction of the Court in support of the charge, the applicant is entitled to be released on bail in this case.

7. Let the applicant-**Karan Joshi**, involved in Case Crime No.0169 of 2026, under Sections 115(2) & 109(1) BNS, Police Station Nai Mandi, District Muzaffar Nagar, be released on bail on his furnishing a personal bond with two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 229-A of the Indian Penal Code.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 174-A of the Indian Penal Code.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 313 Cr.P.C. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

8. In case of breach of any of the above conditions, the trial court will be at liberty to cancel the bail.

9. It is clarified that the observations, if any, made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the ultimate merits of the case.

June 10, 2026

Ajeet

(Mrs. Vani Ranjan Agrawal,J.)