



2026:AHC:124530

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 17972 of 2026

Ram Nawal

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Manoj Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 5

HON'BLE JITENDRA KUMAR SINHA, J.

1. Supplementary affidavit filed today by learned counsel for the applicant is taken on record.
2. Heard Sri Manoj Kumar, learned counsel for the applicant and Sri G.P. Singh, learned A.G.A. for the State and perused the record.
3. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 376 of 2025 under Sections 103(2), 191(2), 191(3), 190, 115(2), 352 BNS, Police Station Belipar, District Gorakhpur during the pendency of the trial.
4. Learned counsel for the applicant has submitted that specific role of assault on the deceased by axe has been assigned to co-accused Vijaynand. It is further submitted that applicant and other co-accused persons have been assigned general role of assault on the first informant as a result of which, he received one injury which is not found to be dangerous to life. It is further submitted that criminal history of the applicant has been explained in the supplementary affidavit filed today. The applicant has been languishing in jail since 30.11.2025 and in case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.
5. Per contra, learned A.G.A. has vehemently opposed the prayer

for bail and submits that co-accused Vijaynand assaulted the deceased Ram Adhar as a result of which, he succumbed to his injuries. As per the postmortem report, cause of death of the deceased has been found to be coma due to antemortem injuries.

6. As per FIR, co-accused Vijaynand is said to have assaulted the husband of the first informant as a result of which, he died. As per the postmortem report, cause of death of the deceased has been found to be coma due to antemortem injuries. Applicant and other accused persons are said to have assaulted the first informant by hard and blunt object as a result of which, she has received injuries which are not found to be dangerous to life, however, no specific role has been assigned to the applicant.

7. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of ***Kapil Wadhawan vs Central Bureau of Investigation*** reported in 2025 SCC OnLine SC 3038 as well as guideline of this Court in the case of ***Maya Tiwari Vs. State of U.P.*** reported in 2024 SCC Online All 6765 regarding grant of bail and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

8. Accordingly, the present application is **ALLOWED**.

9. Let the applicant **Ram Nawal** involved in the aforementioned 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, with the following conditions:-

(i) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts

to the Court or to any police officer or tamper with the evidence.

(ii) The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.

(iii) The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

(iv) The applicant shall attend in accordance with the conditions of the bond executed by him.

10. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

11. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

12. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

13. Office is directed to send a copy of this order to the applicant through **concerned Jail Superintendent** via e-mail or e-prison portal within 24 hours in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021 decided on 31.01.2023** reported in (2024) 10 SCC 685.

(Jitendra Kumar Sinha,J.)

June 2, 2026

Madhurima