



2026:AHC:124531

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 19039 of 2026

Bhrigrushan Alias Bhrigrushan Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Manvendra Narain Pathak, Ram
Krishna Paramhans Singh
Counsel for Opposite Party(s) : Amit Kumar Yadav, G.A., Karunesh
Pratap Singh, Shivam Kumar

Court No. - 4

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Ram Krishna Paramhans Singh, learned counsel for the applicant, Sri Shashank Singh, Advocate holding brief of Sri Karunesh Pratap Singh, learned counsel for the first informant and Sri Bhupendra Pal Singh, learned A.G.A. for the State and perused the record.
2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 266 of 2025, under Section 191(2), 191(3), 190, 103(1), 115(2), 352, 351(3), 3(5) B.N.S., Police Station-Bhatni, District-Deoria, during the pendency of the trial.
3. Learned counsel for the applicant has submitted that incident in question was the result of sudden quarrel over the property in dispute and the postmortem report of the deceased shows that he received single injury on his head which was found to be fatal and no specific role has been assigned to the applicant or any of the co-accused persons. Therefore, it cannot be a ground to reject the bail, at this stage, as the allegation in the FIR as well as the statement of injured witness is general in nature and against seven persons. It is further submitted that co-accused Avinash Alias Abhinash Yadav, has already been released on bail by a coordinate Bench of this Court in Criminal Misc. Bail Application No. 15820 of 2026 vide order dated 11.05.2026. Therefore, the applicant having an identical role, is also entitled to be released on bail on the ground of parity. It is further submitted that the applicant has no criminal

history. The applicant is a law abiding citizen and he is languishing in jail since 13.04.2026. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Learned counsel for the first informant has vehemently opposed the prayer for bail and submitted that though there is general allegation against seven accused persons but the motive has been specifically assigned to the present applicant. Therefore, he is not entitled to be released on bail.

5. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and taking into account the fact that similarly situated co-accused has been enlarged on bail 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., 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. Accordingly, the present application is **allowed**.

6. Let the applicant- **Bhrigrushan Alias Bhrigrushan Yadav**, 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.

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

8. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

9. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

10. 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.

11. Office is directed to send a copy of this order to the applicant through **Jail Superintendent, Deoria** via e-mail or on e-prison portal and Trial Court via e-mode 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** as well as **Pila Pahan@Peela Pahan and others Vs. State of Jharkhand and another, in Writ Petition (Criminal) No. 169 of 2025**, decided on **29.05.2026**.

(Arun Kumar Singh Deshwal,J.)

June 2, 2026
SA