

In The Court of Sessions Judge, Gonda

Anticipatory Bail Application No. 1260/2026

CNR No. UP GD01003696-2026

Vipin Yadav, aged about 24 years, S/o Rajesh Kumar Yadav, R/o Village- Ghancha Bikapur, P.S.- Tarabganj, District- Gonda.

..... **Accused /applicant**

Versus

State of Uttar Pradesh

... Opposite party

Date: 04.06.2026

01. This anticipatory bail application has been moved on behalf of accused/applicant **Vipin Yadav** U/s 482 BNSS in relation to case crime no. 132/2026, U/s 115(2), 191(2), 191(3), 109(1), 352, 351(3) BNS, P.S.- Tarabganj, District- Gonda.

02- Brief facts of the First Information Report is that on 19.04.2026 when complainant Akash Yadav after having food with his family members was sitting at his door (sahan). At around 10.00 p.m., opponents Vipin, Vineet, Suresh, Rajesh, Reeta, Rohit and Nitin in furtherance common intention, lashed with sharp edged weapon came and attacked on Ranvijay, Abhishek, Sarita, Ilasha Devi, Ram Lallan and Akash and caused grievous injuries.

03- On the basis of above information, on 20.04.2026 at 01.36 hour a First Information Report U/s 115(2), 191(2), 118(1) BNS was lodged against 07 named persons (including present accused/applicant) at police station concerned in aforesaid case crime number.

04- It is contended on behalf of accused/applicant that accused/applicant is innocent and has been falsely implicated in the instant case. Accused/applicant has not committed alleged offence. FIR is delayed and no motive is mentioned in it. It is not mentioned that the alleged injured sustained injuries by which sharp edged weapon. Actually, because of some dispute, complainant side persons came at the house of accused/applicants and assaulted accused/applicants and his family members and in that incident complainant side persons also sustained injuries. It is next submitted that regarding that a case crime number 131/2026, has been lodged from

their side. Present FIR has been lodged after thought. There is contradiction in the version of FIR, statement recorded and medical report. There is no independent and eye witness of alleged incident. In FIR, no specific role of accused/applicant has been shown. Instant case has been lodged with the intention to make a cross case. Accused/applicant has neither any criminal history nor he has been convicted in any case. It is next submitted that to diminish the image of accused/applicant in the society, police is making raid to apprehend them. On the above grounds, it is urged to enlarge the accused/applicant on anticipatory bail.

05- Contrary to that learned DGC (Crl.) for the State opposed the instant anticipatory bail and vehemently argued that accused/applicant along with other co-accused persons is named in the FIR. Accused/applicant has specific role in the alleged incident. In the instant case 05 persons are injured. In CT scan head of injured Ranvijay Comminuted Fracture shown in parietal bone on left side with overlying soft tissue swelling. It is submitted that during investigation section 191(3), 109(1), 352, 351(3) BNS was also added to the case on the basis of evidence collected. Investigation is going on and charge-sheet is still awaited. Maximum punishment for the offence committed in the instant case is imprisonment for life. Apart from this, as per police report, accused/applicant is not co-operating in the investigation. Anticipatory bail applications of co-accused persons Rajesh Yadav, Suresh Yadav and Smt. Reeta have already been rejected by this court and role of accused/applicant is not different from that. On the above grounds urged for rejection of the instant anticipatory bail application.

06- Heard, learned counsel for the accused/applicant and learned DGC (Crl.) for the State and perused the record.

07- On perusal of record, it transpires that accused/applicant along with other co-accused persons is named in the FIR. Initially FIR was lodged U/s 115(2), 191(2), 118(1) BNS and during investigation sections 191(3), 109(1), 352, 351(3) BNS were added to the case. In statement u/s 180 BNSS complainant and injured Sarita and Ram Lallan have supported the prosecution version. In the instant case 05 persons are injured. In CT scan (head) report of injured Ranvijay; Comminuted Fracture shown in parietal bone on left side with overlying soft tissue swelling.

08- Apart from this, there is nothing on record to outweigh the evidence collected by the I.O. concerned during the investigation that accused/applicants are prima-facie being falsely implicated in the case for harassing or defaming them. There is no other exceptional circumstance in the present case that would warrant consideration of their request for anticipatory bail. Offence is heinous in nature and is punishable with the maximum imprisonment for life. Apart from this also, in light of the decisions dated 21.07.2025 passed by the Hon'ble Supreme Court in **Criminal Appeal (SLP (Crl.) No (s.) 10251 of 2025 Nikita Jagannath Shetty @ Nikita Vishwajeet Jadhav Vs. State of Maharashtra and others** and the legal principle propounded in case law **Shri Kant Upadhyay Vs. State of Bihar, 2024, SCC online SC 282**, there is no sufficient ground for anticipatory bail. Investigation is going on and charge sheet is still awaited. As per police report, accused/applicant is not co-operating in the investigation and continuously fleeing away. Also anticipatory bail applications of co-accused persons Rajesh Yadav, Suresh Yadav and Smt. Reeta have already been rejected by this court vide order dated 19.05.2026 and 27.05.2026 respectively and role of accused/applicant is not different from that.

09- Accordingly, in light of above fact and circumstances of the case and seeing the nature and gravity of the offence, in my opinion, it is not a fit case for anticipatory bail.

Order

Anticipatory bail application 1260/2026 moved on behalf of accused/applicant **Vipin Yadav** in relation to case crime no. 132/2026, U/s 115(2), 191(2), 191(3), 109(1), 352, 351(3) BNS, P.S.- Tarabganj, District- Gonda is hereby **rejected**.

Dated : 04.06.2026

(Surya Prakash Singh)
I/c Sessions Judge,
Gonda