



2026:AHC:86336

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 45525 of 2025

Golu Pandey

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Sarvanand Pandey

Counsel for Opposite Party(s) : Anoop Kumar Dubey, G.A., Sudhir
Tiwari

Court No. - 70

HON'BLE HARVIR SINGH, J.

1. Heard learned counsel for the applicant, learned counsel for the informant, learned AGA for the State and perused the record.

2. By means of this application, the applicant who is involved in case crime no. 296 of 2025, under Sections 191(2), 191(3), 115(2), 352, 351(3) and 109 of B.N.S., P.S. Turkpatti, District-Kushinagar, is seeking enlargement on bail during the trial.

3. Learned counsel for the applicant submitted that the applicant is absolutely innocent and has been falsely implicated in the present case due to some ulterior motive. He next submitted that in the first information report general allegation of assault has been levelled against four named and nine unknown persons, including applicant. No specific role has been assigned to the applicant. He further submitted that no incriminating article or material has been recovered either from the possession of the applicant or on his pointing out. He also submitted that the injuries sustained by the injured were not dangerous to life, therefore, the essential ingredients of offense under Section 109 of the B.N.S. are not fulfilled. He lastly submitted that the applicant, who is in jail since 25.10.2025 and has no criminal antecedents to his discredit is entitled to be enlarged on bail during pendency of the trial.

4. Per contra learned AGA opposed the prayer for bail and submitted that grievous injuries have been caused to the injured Nabi Rasool, Sartaj, Azad Ansari and Sayed Ansari. The details of the injuries are at page nos.

79 to 81, which reads as under:-

Injury of Nabi Rasool

"(i). Stitched wound 3.4 x 3 stitches present on left side parietal 9 cm above from left eyebrow;

(ii) Stitched wound 4.2 cm x 3 stitches present on left side front of head 4.8 cm above from left eyebrow;

(iii) Linear abrasion 2 cm x 0.1 cm present on dorsal aspect of right forearm 8.2 cm below from right elbow joint."

Injury of Sartaj

"(i). Abrasion 1.5 cm x 0.3 cm present on dorsal aspect of right arm 4.5 cm above from right elbow joint;

(ii) Abrasion 1.4 cm x 0.5 cm present on right side back of chest 4.5 cm medially above from inferior angle of right scapula;

(iii) Abrasion 0.5 cm x 0.2 cm present on left side back of chest just below from inferior angle of left scapula;"

Injury of Azad Ansari

"(i) Abrasion 2.5 cm x 2.1 cm present on left side front of parietal 6.2 cm above from left eyebrow."

Injury of Sayed Ansari

"(i) Abrasion 0.5 cm x 0.3 cm dorsal aspect of right little finger 2.3 cm above from tip of right little finger;

(ii) Abrasion 0.4 cm x 0.2 cm present on dorsal aspect of right forearm 5.3 cm below from right elbow joint."

Opinion of the Doctor :-

The injuries sustained by the injured Nabi Rasool are grievous in nature and dangerous to life.

5. Having considered the nature of the injuries sustained by the injured Nabi Rasool and the injuries sustained by other injured persons, this Court is not inclined to enlarged the applicant on bail, accordingly, the bail application is rejected.

(Harvir Singh,J.)

April 10, 2026

Faridul