



UPAN010046292026

UPAN010048102026

IN THE COURT OF THE SESSIONS JUDGE, AMBEDKAR NAGAR

Bail Application No.	CNR No.
720/2026	UPAN010046292026
814/2026	UPAN010048102026

In the Matter of:

Vimal, Aged about 27 years, Son of Sudarshan, Resident of Village Koomhi Dadiya, Police Station Kadipur, District Sultanpur.

... Applicant / Accused

Versus

State of Uttar Pradesh

... Prosecution / Opposite Party

Order Date: June 11, 2026

Case Crime No.: 57/2026

Under Sections: Sections 309(4), 317(2), and 117(2) of the Bharatiya Nyaya Sanhita (BNS), 2023.

Police Station: Bewana, District Ambedkar Nagar

By this common order, this Court shall dispose of two separate first regular bail applications moved on behalf of the applicant/accused, Vimal, stemming from the exact same criminal transaction and case crime number. For the sake of judicial convenience and structural clarity, both applications are being evaluated and decided together. The bail applications are supported by affidavits executed by the applicant's father and *paurokar*, Sudarshan.

Points for Determination

The following core legal and factual questions arise for determination in these bail applications:

1. Whether a compelling *prima facie* case of daylight robbery, snatching, and voluntarily causing grievous hurt exists against the

applicant, particularly given that he was apprehended **red-handed at the spot** by public eyewitnesses.

2. Whether the defence's counter-narrative of a routine vehicular accident can be adjudicated at the bail stage to displace the explicit accusations of violent theft and intentional injury.
3. Whether the gravity of the injuries sustained by the victims, coupled with the violent nature of the offence, justifies the continued pre-trial custodial detention of the applicant.

Findings

1. Factual Matrix of the Prosecution Case

According to the case diary and the First Information Report (FIR) registered on May 17, 2026, at 17:00 hours by the informant, Archana Yadav, the prosecution narrative is as follows:

1. **The Incident:** On May 17, 2026, at approximately 11:30 AM, the informant was walking back home after purchasing medicine from the Rampur Sakarwari market.
2. **The Snatching:** Near the Bramhababa Dev Sthan in Sisva, two individuals riding a Pulsar motorcycle without a license plate intercepted her. They violently pushed her to the ground, forcibly snatched her Redmi mobile phone, and fled towards Bankata.
3. **The Interception & Violence:** Hearing her cries for help, a bystander named Avadhish attempted to block the fleeing riders. With an intent to endanger his life, the motorcyclists intentionally rammed into Avadhish at high speed, inflicting severe, grievous physical injuries on him.
4. **Spot Apprehension:** Seeing the collision, several local residents – including Rakesh, Ramkesh, Rajesh, and Brijesh – rushed to the scene and managed to overpower both riders. The captured individuals identified themselves as Shani and Vimal (the applicant). Both the informant and Avadhish sustained severe injuries, and the suspects were handed over directly to the Bewana Police Station.

Initially, the case was registered under Sections 309(4) [Robbery] and 317(2) [Dishonestly receiving stolen property] of the BNS, 2023. Following medical examinations and during the course of the investigation, Section 117(2) [Voluntarily causing grievous hurt] of the BNS was added to the charge sheet.

2. Submissions on Behalf of the Parties

The learned counsel for the applicant/accused strongly pleaded for bail, asserting absolute innocence and claiming a case of malicious fabrication. He submitted that:

1. The FIR was delayed and drafted after extensive consultation to exaggerate a simple traffic incident.
2. The reality of the encounter was that the informant was traveling with Avadhish from Rampur, while the applicant and his cousin Shani were heading toward the Rampur market from their maternal uncle's house. Avadhish, riding on the wrong side, failed to navigate a sharp turn and collided with the applicant's motorcycle, injuring both sides.
3. Following the collision, the gathering crowd brutally assaulted the applicant, causing a fracture in his hand. To avoid a counter-complaint regarding the assault, the private parties pressured the police into registering this false robbery case. The applicant has been in judicial custody since May 18, 2026.

The learned District Government Counsel (Criminal) vehemently opposed the bail applications. He argued that this was not a simple accident but a daring, calculated daytime robbery. He emphasized that the applicant was caught red-handed at the crime scene by public witnesses with the stolen device, and his violent attempt to escape left an innocent civilian severely mangled and hospitalised.

3. Judicial Analysis and Legal Rationale

This Court has carefully evaluated the material available on record, the case diary entries, and the nature of the injuries:

1. **Apprehension at the Spot:** Unlike cases resting on circumstantial evidence or belated disclosures, the applicant here was intercepted and detained at the spot of the crime by independent public witnesses immediately following a violent chase. This severely weakens the initial plea of false identification or random planting at the bail stage.
2. **Bar against Mini-Trials:** The defence's contention that the incident was a mutual traffic accident, and that the applicant's injuries were caused by public vigilantism, cannot be thoroughly dissected at this juncture. The Hon'ble Supreme Court in [Satish Jaggi v. State of Chhattisgarh \(2007 AIR SCW 3214\)](#) explicitly ruled that at the stage of deciding a bail application, the court is only required to evaluate the *prima facie* nature of the evidence and

cannot enter into a detailed appreciation of evidence or conduct a mini-trial to validate a defence alibi.

3. **Gravity of the Offence and Medical Evidence:** The offense is of an exceptionally grave and violent nature, occurring in broad daylight against a pedestrian woman. The subsequent act of intentionally striking an intervening citizen with a speeding motorcycle to secure an escape path elevates the culpability under Section 117(2) BNS. The medical records show that both the informant and the witness Avadhish suffered severe, grievous injuries.

As established by the Apex Court in *State of U.P. v. Amarmani Tripathi (Appeal (crl.) 1248 of 2005)*, the court must balance several factors while assessing bail: the *prima facie* case, the gravity of the charge, the severity of the punishment, and the impact of the release on society. Releasing an individual who shows a flagrant disregard for public safety and uses violence to escape after a public theft would send a compromising signal to the community and jeopardise the safety of the prosecution witnesses who captured him.

Reviewing the totality of the circumstances, the brutal nature of the assault, and the spot arrest, this Court finds no reasonable or sufficient ground to grant pre-trial liberty to the applicant.

Order

The regular bail applications moved on behalf of the applicant/accused **Vimal** in connection with **Bail Application No. 720/2026** and **Bail Application No. 814/2026** under Case Crime No. 57/2026, targeting Sections 309(4), 317(2), and 117(2) of the BNS, 2023, Police Station Bewana, District Ambedkar Nagar, are hereby **Rejected / Dismissed**.

A copy of this common order shall be placed individually within the case files of both corresponding bail applications.

(Chandroday Kumar)

Sessions Judge, Ambedkar Nagar

J.O. Code No.: UP06553

Date: June 11, 2026

Place: Ambedkar Nagar