



2026:AHC:167041

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 4799 of 2026

Vimal Kumar Alias Vimal Soni

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Rakesh Kumar Dubey, learned counsel for the applicant and Sri R.N. Srivastava, learned AGA for the State.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.131 of 2024, under Sections 302, 201, 328, 366 IPC, Police Station Kotwali, District Kanpur Nagar, during pendency of the trial.

3. Learned counsel for the applicant submits, on 24.06.2024 informant of the case lodged a missing report with regard to his wife but next day he lodged FIR of the present case against the applicant with the allegation that he is having doubt that applicant has taken his wife.

4. He further argued, when after four months on the basis of the FIR dated 25.01.2024 applicant was arrested on 26.10.2024 then as per prosecution he confessed his guilt and on his pointing out skeleton of the deceased was recovered. He next submits, entire recovery is false and baseless.

5. He next submits, however trial of the case is at advance stage and statement of accused i.e. applicant has already been recorded under Section 313 CrPC but considering the fact that it is a case of circumstantial evidence and in the present matter applicant is in jail for last more than one and half year, he may

be enlarged on bail.

6. Per contra, learned AGA opposed the prayer for bail and submits, as trial of the case is at advanced stage and even statement of the accused has already been recorded under Section 313 CrPC therefore at such belated stage it is not proper to release the applicant on bail. However, learned AGA suggested that trial court may be directed to conclude the trial within stipulated period of time.

7. I have heard learned counsel for the parties and perused the record of the case.

8. However, it is a case of circumstantial evidence but as per prosecution on the pointing out of the applicant skeleton of the dead body of the deceased was recovered.

9. Further, even trial of the case is at advanced stage and statement of the accused under Section 313 CrPC has already been recorded therefore, in my view, it is not proper to release the applicant on bail at this stage.

10. Accordingly, instant bail application stands **dismissed**.

11. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

12. However, considering the fact that applicant is in jail for last one and half year and trial of the case is at advanced stage, trial court is directed to conclude the trial as expeditiously as possible without granting any unnecessary adjournment to either of the parties strictly in accordance with law, preferably within six months, on day-to-day basis, from the date of production/knowledge of this order.

13. If within six months from the date of production/knowledge of this order trial of the case is not concluded then it will be

open for the applicant to renew his prayer for bail subject to the condition that he is not responsible for delay in trial.

14. Registrar (Compliance) is directed to communicate this order to the District Judge concerned within 48 hours for necessary compliance.

August 5, 2026
Shahroz

(Sameer Jain,J.)