



2026:AHC:14009

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 44304 of 2024

Sultan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Shams Uz Zaman

Counsel for Opposite Party(s) : Avinash Pandey, G.A., Neetesh Kumar

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Shams Uz Zaman, learned counsel for applicant, Sri Avinash Pandey, learned counsel for the informant, Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. The present bail application has been filed by the applicant in Case Crime No.34 of 2024, under Sections 302, 201 I.P.C., Police Station-Kandhla, District Shamli with the prayer to enlarge him on bail.
4. As per prosecution story, the applicant is stated to have informed the police that his wife has been put to death by some unknown assailants on way in the night of 2.2.2024.
5. Learned counsel for the applicant has stated that the applicant as a *bona fide* act informed the police and the police reached the place of occurrence and found the dead body nearby alongwith scooty and screw-driver. The applicant did not carry any motive to commit the said offence.
6. Learned counsel for the applicant has further stated that the marriage of the applicant with the deceased person was solemnized just three months before the incident. There is no criminal history of the applicant. The applicant is in jail since 3.2.2024 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

7. Per contra, learned counsel for the informant and learned A.G.A. have vehemently opposed the bail application on the ground that the trial is at its conclusive end as four witnesses have already been examined and the applicant himself committed the murder and in order to show it to be a case of dacoity and murder has himself cooked up the story.

8. The Supreme Court in case of *X vs. State of Rajasthan & Anr.* reported in **2024 INSC 909**, has held that once the trial has commenced, it should be allowed to reach to its final conclusion, which may either result in conviction or acquittal of the accused. The bail should not be normally granted to the accused after the charge has been framed. It should also not be granted by looking into the discrepancies here or there in the deposition.

9. After hearing learned counsel for the parties and taking into consideration the fact that the trial is at its conclusive end, I do not find it a fit case for grant of bail to the applicant. The bail application is found devoid of merits and is, accordingly, **rejected**.

10. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously in view of the principle as has been laid down in the recent judgments of the Supreme Court in the cases of *Vinod Kumar vs. State of Punjab; 2015 (3) SCC 220* and *Hussain and Another vs. Union of India; (2017) 5 SCC 702*, if there is no legal impediment.

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.

(Krishan Pahal,J.)

January 20, 2026

Vikas Verma