



2026:AHC:17500

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 46075 of 2025

Monu Singh @ Dharendra Singh

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	: G.A., Ritesh Singh, Suresh Singh
Counsel for Opposite Party(s)	: Mayank Upadhyay

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed by learned counsel for the applicant is taken on record.
2. Heard Sri Ritesh Singh, learned counsel for applicant, Sri Mayank Upadhyay, learned counsel for the informant and Sri V.K.S. Parmar, 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 Session Trial No. 299 of 2015 arising out of Case Crime No. 86 of 2015, under Sections 147, 376, 511, 294, 326A, 302 IPC and 7/8 POCSO Act, Police Station Sikariganj, District Gorakhpur, with the prayer to enlarge him on bail.
4. Learned counsel for the applicant has stated that the applicant has been falsely implicated in the present case. There is no eye-witness of the incident. There is no evidence against the applicant. The applicant is in jail since 18.9.2025 and is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.
5. Per contra, learned A.G.A. and learned counsel for the informant have vehemently opposed the bail application on the ground that there is dying declaration in the instant case and the applicant has been nominated by the deceased, who was set afire by the applicant and the co-accused persons. The matter is of the year 2015 and the applicant was arrested in the year 2025 when he surrendered before the Court on 18.9.2025. It is further stated

that two witnesses have been examined and they have also reiterated the allegations made in the dying declaration, as such, the applicant is not entitled for bail.

6. After hearing learned counsel for the parties and taking into consideration the fact that there is a dying declaration in the instant case whereby the applicant has been nominated by the deceased and that the witnesses examined have reiterated the allegations made in the dying declaration, 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***.

7. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously as early as possible 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.

8. 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 27, 2026

Shalini