



2026:AHC:3880

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 499 of 2024

Jumman Khan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Dinesh Yadav, Sanjay Pathak, Syed
Ahmed Faizan, Syed Mohd Taqi Abdi
Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Sanjay Pathak, learned counsel for applicant and Sri Sanjeev Singh, learned Additional Advocate General assisted by Sri Sunil Kumar, learned Additional Government Advocate for the State.
3. The present bail application has been filed by the applicant in Case Crime No.105 of 2021, under Section 302, 504, 506 I.P.C., Police Station Iglas, District Aligarh, with the prayer to enlarge him on bail.
4. This is the second bail application on behalf of the applicant. The first one was rejected by this Court vide order dated 11.4.2023 passed in Criminal Misc. Bail Application No.46395 of 2022.
5. Learned counsel for the applicant has stated that the case of the applicant is at par with the co-accused person, who has been enlarged on bail. The only difference was that there was a recovery of a knife at the pointing out of the applicant, as such, he is entitled for bail.
6. Learned A.G.A. has opposed the bail on the ground that the applicant is the primary accused person, as it was he, who had assaulted the deceased with knife and caused fatal injury to him. This Court had called for the status of trial. The status report indicates that the trial is at the conclusive end, as eight witnesses have been examined.

7. After hearing learned counsel for the parties and taking into consideration the fact that the applicant is the primary accused person of having assaulted the deceased with knife and the role of the applicant being different to the other accused persons, I do not find it a fit case for grant of anticipatory bail to the applicant. The present bail application is hereby found devoid of merits and is accordingly ***rejected***.

8. 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.

9. 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 6, 2026
Shalini