



2026:AHC:8215

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 6383 of 2025

Sachin Upadhyay

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Chandrajeet Yadav, Sanjay Pathak
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, Sri Sanjeev Singh, learned Additional Advocate General assisted by 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.51 of 2020, under Sections 147, 148, 149, 323, 324, 307, 302, 386, 504, 506/34 I.P.C. and 7 Criminal Law Amendment Act, Police Station- Sasnigate, District Aligarh with the prayer to enlarge him on bail.
4. This is the third bail application on behalf of the applicant. The first and second bail applications were rejected by this Court vide orders dated 9.9.2021 and 16.1.2023 passed in Criminal Misc. Bail Application Nos.2111 of 2021 and 12777 of 2022, respectively.
5. As a new ground, learned counsel for the applicant has stated the applicant is languishing in jail since 20.2.2020, as such, he is incarcerated in jail for almost six years and there is no likelihood of conclusion of trial in near future. As such, the fundamental rights of the applicant enshrined under Article 21 of the Constitution of India stand violated. There is no criminal antecedent of the applicant. He is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.
6. Per contra, learned Additional Advocate General has vehemently

opposed the bail application on the ground that the trial is at its conclusive end, as such, the applicant is not entitled for bail.

7. This Court had called for the status of trial from the concerned trial court. As per the said status report dated 5.1.2026, prosecution evidence is complete after examination of ten witnesses and the case is fixed to statement of accused U/s 313 Cr.P.C. and the date is fixed on 12.1.2026 i.e. today.

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 12, 2026
Vikas Verma