



2026:AHC:17610

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 968 of 2026

Kamlesh Paswan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Akhilesh Pandey, Jagmohan Singh
Counsel for Opposite Party(s)	:	G.A., Sanjay Srivastava

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Jagmohan Singh, learned counsel for the applicant and Sri Sanjay Srivastava, learned counsel for the informant as well as Sri Rajendra Prasad Singh, learned State Law Officer and perused the record.
3. Applicant seeks bail in Case Crime No. 336 of 2024, under Sections 147, 148, 323, 352, 302, 307 of I.P.C., Police Station - Chakeri, District - Kanpur Nagar, during the pendency of trial.
4. Learned counsel for the applicant has submitted that the applicant is innocent and has been falsely implicated in the present case. He has nothing to do with the said offence as alleged in the FIR.
5. Learned counsel also states that the role of assaulting the deceased person with bat has been assigned to Manvendra Singh and Gaya Singh. The injuries sustained by the deceased person on the cranium can be caused by the cricket bat only, as such, the case of the applicant is at a different footing to the case of co-accused Manvendra Singh @ Gaya Singh.
6. Learned counsel further states that the applicant is languishing in jail since 30.08.2024, having no criminal history to his credit. In case, the applicant is released on bail, he will not misuse the liberty of bail and shall cooperate with trial.

7. Per contra, learned counsel for the informant and learned State Law Officer have vehemently opposed the bail application on the ground that the applicant was visible in the CCTV footage and he had played active role in the incident. The bail application of three other co-accused persons have already been rejected by the coordinate Bench of this Court. It is also stated that the trial is moving on as three witnesses have already been examined to date, as such, the applicant is not entitled for bail.

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. Considering the facts and circumstances of the case, submissions advanced by learned counsel for the parties, the aforesaid judgement of Supreme Court and taking into consideration the injuries sustained by the injured persons and the deceased person, I do not find it a fit case to release the applicant on bail.

10. The bail application is, accordingly, **rejected**.

11. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously, in view of the principle laid down in the recent judgements 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.

12. 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

Siddhant