



2026:AHC:17843

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2411 of 2026

Akshay

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ajay Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Ajay Mishra, 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.680 of 2023, under Section 302 I.P.C., Police Station- Teela Mod, District Ghaziabad with the prayer to enlarge him on bail.

4. Learned counsel for the applicant has stated that the applicant has nothing to do with the said offence and he has been falsely implicated in the present case over suspicion only. There is no cogent or direct evidence against him. A time limit of one year was fixed by the Co-ordinate Bench of this Court vide order dated 25.9.2024 passed in Criminal Misc. Bail Application No.14751 of 2024, but during trial only four witnesses have been examined to date. There is no criminal history of the applicant. The applicant is in jail since 22.11.2023 and he 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 Additional Advocate General has vehemently opposed the bail application on the ground that CCTV footage is implicative and incriminating articles have been recovered from the applicant, which categorically corroborates the prosecution story, as such, he is not entitled for bail.

6. 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.

7. After hearing learned counsel for the parties and taking into consideration the fact

that the trial is going on as already four witnesses have been examined to date, 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***.

8. 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.

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 27, 2026

Vikas Verma