



2026:AHC:18083

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 12662 of 2025

Vinod

.....Applicant(s)

Versus

State Of U.P Through Its Principal Secretary
(Home) And Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Gunjan Sharma
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed today by the learned counsel for the applicant is taken on record.
2. Heard Smt. Gunjan Sharma, learned counsel for the applicant (High Court Legal Services Committee) and Sri V.K.S. Parmar, learned A.G.A. for the State and perused the record.
3. Applicant seeks bail in Sessions Trial No. 204 of 2023 arising out of Case Crime No. 291 of 2022, under Section 302 of I.P.C., Police Station - Kithore, District - Meerut, during the pendency of trial.
4. As per the prosecution story, the applicant is alleged to have stabbed the informant's son on 06.10.2022 at about 07:30 PM, causing grievous injuries, to which he subsequently succumbed. The incident is stated to have been witnessed by Manisha and Chhoti.
5. Learned counsel for the applicant submits that the applicant is absolutely innocent and has been falsely implicated in the present case. He has nothing to do with the said offence as alleged in the FIR. The FIR is delayed by about six hours and there is no explanation of the said delay caused.
6. Learned counsel further submits that there are material and glaring contradictions in the statements of the prosecution witnesses. The informant has categorically stated that the applicant inflicted only one

injury upon the deceased, whereas the post-mortem report shows that the deceased sustained three injuries. This material inconsistency goes to the root of the matter and seriously undermines the credibility of the prosecution version.

7. Learned counsel has further contended that the applicant is languishing in jail since 10.10.2022, 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.

8. Per contra, learned A.G.A. has vehemently opposed the bail application on the ground that the informant is not an eye-witness. It is submitted that two eye-witnesses, namely Manisha and Chhoti, have categorically stated that the applicant inflicted multiple injuries upon the deceased. Their statements have been recorded as P.W.-2 and P.W.-3 respectively, as such, the applicant is not entitled to be released on bail.

9. This Court had called for a report regarding the status of trial and in compliance thereof, a report has been submitted by the Trial Court concerned on 12.12.2025. As per the said report, seven witnesses have been examined to date, as such, the trial is at its conclusive end.

10. 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.

11. 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 statements of witnesses and the fact that the trial is at its conclusive end as already seven witnesses have been examined, I do not find it a fit case to release the applicant on bail.

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

13. 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.

14. 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