



2026:AHC:18563

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 13429 of 2024

Pappu

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Shri Prakash Dwivedi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Shri Prakash Dwivedi, learned counsel for applicant, Sri Sanjeev Singh, learned Additional Advocate General assisted by Sri Sunil Kumar, learned Additional Government Advocate and perused the material placed on record.
3. The present bail application has been filed by the applicant in Case Crime No. 219 of 2021, under Sections 302, 201 IPC, Police Station Robertsganj, District Sonbhadra, with the prayer to enlarge him on bail.
4. This is the second bail application filed on behalf of the applicant. The first one was rejected by a co-ordinate Bench of this Court vide order dated 31.8.2021 passed in Criminal Misc. Bail Application No. 29314 of 2021.
5. Learned counsel for the applicant has stated that as a new ground, it is the period of incarceration on which the applicant is entitled for bail as he is in jail since 14.5.2021 and more than four and a half years have passed since his incarceration. In case, the applicant is released on bail, he will not misuse the liberty of bail.
6. Per contra, learned A.G.A. has vehemently opposed the bail application on the ground that the applicant is the main accused person and had strangled the father of the informant.

7. This Court had called for the status of trial. The status report dated 21.11.2025 indicates that six witnesses have been examined and only the investigating officer remains to be examined.

8. The Supreme Court in case of *X vs. State of Rajasthan & Anr., 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 status of trial and the applicant being the main accused person, 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 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.

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 28, 2026

Shalini