



2026:AHC:18049

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 13455 of 2025

Nikhil Bhadoria

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ankur Mishra, Sunil Vashisth
Counsel for Opposite Party(s)	:	G.A., Kameshwar Singh

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Rejoinder affidavit filed by learned counsel for the applicant is taken on record.
2. Heard Sri Sunil Vashisth, learned counsel for applicant, Sri Kameshwar Singh, learned counsel for the informant, Sri V.K.S. Parmar, 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.259 of 2024, under Sections 302, 201, 394, 411, 34 I.P.C., Police Station Hanumant Vihar, District Kanpur Nagar with the prayer to enlarge him on bail.
4. As per prosecution story, a dead body was recovered from Panki on 13.6.2024 and after its inquest report and postmortem examination the dead body was identified by the photographs and clothes of the deceased person. It was stated in the FIR that some unknown persons have murdered the deceased person.
5. Learned counsel for the applicant has stated that the FIR is delayed by about four days and there is no explanation of the said delay caused. The applicant is not named in the FIR and his name has come up subsequently in the confessional statement of co-accused person Saurabh and from the possession of applicant the keys to the car of the deceased person were recovered and at his pointing out, the said car was also recovered and from the said car the said paper cutter was recovered, which was used in the

murder of the deceased person alongwith certain clothes of the deceased person.

6. It is further argued by learned counsel for the applicant that the applicant has been falsely implicated in the present case. The said recovery has been planted on him. The criminal history of one case assigned to the applicant has been explained. The applicant is in jail since 18.6.2024 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

7. Per contra, learned counsel for the informant and learned A.G.A. have vehemently opposed the bail application on the ground that the last call to the deceased person was of one Rachit Kumar, who used the mobile of his landlord's son Vishal, but subsequently the applicant and other co-accused persons were arrested taking the trail of said CDRs and there is recovery of the said robbed car at the pointing out of applicant, as such, he is not entitled for bail.

8. After hearing learned counsel for the parties and taking into consideration the proximity of recovery of car from the date of offence and also the CCTV footage in which applicant is identified boarding the said car, I do not find it a fit case for grant of bail to the applicant.

9. 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 27, 2026

Vikas Verma