



2026:AHC:18707

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 18899 of 2024

Hakimuddin

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Abhishek Mayank, Rajeev Kumar
Tiwari, Shashikala Mani Tripathi
Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Abhishek Srivastava, Advocate holding brief of Sri Abhishek Mayank, learned counsel for applicant, Sri Sanjeev Singh, learned Additional Advocate General assisted by Sri Sunil Kumar, learned A.G.A. for the State.
3. This is the second bail application on behalf of the applicant. The first one was rejected by the Co-ordinate Bench of this Court vide order dated 7.9.2021 passed in Criminal Misc. Bail Application No.27477 of 2021.
4. The present bail application has been filed by the applicant in Sessions Trial No.1728 of 2020 (State vs. Vivek Kumar @ Vikky and Others), arising out of Case Crime No.775 of 2020, under Sections 302, 201, 120-B I.P.C. and 7 Criminal Law Amendment Act, Police Station Khurja Nagar, District Bulandshahr with the prayer to enlarge him on bail.
5. This Court had called for the status of trial from the concerned trial court. As per the said status report dated 2.12.2025, the case was fixed for recording the statement of accused U/s 313 Cr.P.C. on 9.12.2025. In all twelve witnesses have been examined by the prosecution.
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. Learned counsel for the applicant could not produce any new ground for pressing the instant bail application except the period of incarceration undergone by the applicant as he is in jail since 1.8.2020 coupled by the fact that trial is at its conclusive end, as such, I do not find it a fit case for grant of bail to the applicant. The instant 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 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.

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 28, 2026
Vikas Verma