



2026:AHC:18177

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 22584 of 2025

Mateen

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed by learned counsel for the applicant is taken on record.
2. Heard learned counsel for applicant and 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. 77 of 2016, under Sections 302, 394, 411 IPC, Police Station Kundarki, District Moradabad, with the prayer to enlarge him on bail.
4. Learned counsel for the applicant has stated that the applicant has been falsely implicated in the instant case. The recovery of certain article has been falsely foisted on the applicant, as he is not named in the FIR. It is the period of incarceration on which the applicant is entitled for bail as he is in jail since 4.3.2024 and one year and ten months have passed since his incarceration. In case, the applicant is released on bail, he will not misuse the liberty of bail.
5. Per contra, learned A.G.A. has vehemently opposed the bail application.
6. This Court had called for the status of trial. The status report dated 3.12.2025 indicates that the trial is at its conclusive end, as already the statement of accused u/s 313 Cr.P.C. was recorded on 19.1.2024 and the case is fixed for final argument.
7. 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.

8. After hearing learned counsel for the parties and taking into consideration the fact that the trial is at its conclusive end, without discussing the evidence in detail, 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**.

9. 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.

10. 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

Shalini