



2026:AHC:19457

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 30991 of 2024

Anuj Kushwaha

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Noor Mohammad, Priti Choudhary
Counsel for Opposite Party(s)	:	G.A., Sarvesh

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Irshad Ahmad, Advocate holding brief of Sri Noor Mohammad, learned counsel for the applicant, Sri Pramod Kumar, Advocate holding brief of Sri Sarvesh, learned counsel for the informant as well as Sri R.P. Patel, learned State Law Officer for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.61 of 2024, under Sections 302, 504, 506, 120-B I.P.C., Police Station- Maharajpur, District- Kanpur Nagar, during the pendency of trial.
4. Learned counsel for the applicant has stated that the applicant was granted interim bail by the Co-ordinate Bench of this Court vide order dated 3.6.2025 and he has cooperated with trial. The charge against the applicant and other accused persons was framed on 3.7.2025. Not a single witness has turned up during trial for their statements. As such, there is no likelihood of conclusion of trial in near future.
5. Per contra, learned counsel for the informant and learned State Law Officer have fairly conceded the fact that applicant the applicant is visible in the CCTV footage, but it does not mention as to who was assaulting the deceased person. The applicant was granted interim bail for a period of three months only, which had lapsed in September, 2025, as such, he is not entitled for bail.

6. This Court had called for the status of trial from the concerned Trial Court. As per the said status report dated 21.1.2026, the charge was framed against the applicant on 3.7.2025 and summons have been issued to the complainant. Not a single witness has turned up as yet.

7. Under these circumstances, the earlier order of this Court dated 3.6.2025 is made absolute.

8. Let the applicant- **Anuj Kushwaha**, who is involved in aforementioned case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

- (i) The applicant shall not tamper with evidence during trial.
- (ii) The applicant shall not pressurize/intimidate the prosecution witnesses.
- (iii) The applicant shall appear before the trial court on the date fixed.

9. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

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 made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

January 28, 2026

Vikas Verma