



2026:AHC:19272

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 35362 of 2024**

Hari Shankar

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Krishna Kumar Shukla

Counsel for Opposite Party(s) : G.A., Mohammad Abid Ali, Mohd Faiz

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**Court No. - 66**

**HON'BLE KRISHAN PAHAL, J.**

1. List has been revised. Learned counsel for the informant is not present.
2. Heard Sri Krishna Kumar Shukla, learned counsel for applicant, Sri R.P. Patel, learned State Law Officer 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.168 of 2023, under Sections 498-A, 304-B, 302 I.P.C. r/w 3/4 D.P. Act, Police Station- Anola, District Bareilly with the prayer to enlarge him on bail.
4. As per prosecution story, the applicant is stated to have assaulted and committed murder of his wife in his in-laws house on 17.4.2023 at 04:30 a.m.
5. Learned counsel for the applicant has stated that the applicant remained in the house for whole night as he reached his in-law's house on 16.4.2023 and there was no reason for the applicant to commit the said murder in his in-laws house. There was no dispute between the parties prior to the said incident.
6. It is further argued by learned counsel for the applicant that the allegations that applicant demanded motorcycle are false. There is no criminal history of the applicant. The applicant is in jail since 19.4.2023 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 State Law Officer has vehemently opposed the bail application.

8. This Court had called for the status of trial from the concerned trial court. As per the said status report dated 10.11.2025, six witnesses have been examined.

9. 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.

10. After hearing learned counsel for the parties and taking into consideration the fact that applicant is the main accused person who caused stab wound to his wife committing her murder coupled by the fact that trial is going on as already six witnesses have been examined, 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**.

11. 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.

12. 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