



2026:AHC:19483

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38682 of 2024

Charan Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Prashant Shukla
Counsel for Opposite Party(s) : Aditya Yadav, G.A., Shivam Yadav

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Counter affidavit filed by learned counsel for the informant is taken on record.
2. Heard Sri Vishnu Pandey, Advocate holding brief of Sri Prashant Shukla, learned counsel for applicant, Sri Aditya Yadav, learned counsel for the informant, Sri Rajendra Prasad Singh, 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.0169 of 2024, under Sections 307, 323, 504, 506, 325, 302 I.P.C., Police Station Kurra, District Mainpuri with the prayer to enlarge him on bail.
4. As per prosecution story, the co-accused persons are stated to have assaulted the deceased with lathi and danda, while the applicant had assaulted him with a fawada thereby rendering him unconscious. Subsequently, the applicant is stated to have run over the deceased person with his tractor thrice on 07.06.2024 at about 7:00 a.m.
5. Learned counsel for the applicant has stated that although the applicant is shown to be the primary accused person, but the allegations are *per se* false. The FIR has been instituted after a delay of more than two days, which speaks volumes of false implication. The statement of the deceased was recorded by the Investigating Officer, whereby he has stated that the applicant had assaulted him and run over him with tractor several times. The applicant is in jail since 20.06.2024 and is ready to cooperate with the trial.

In case the applicant is released on bail, he will not misuse the liberty of bail.

6. Per contra, learned counsel for the informant and learned A.G.A. have vehemently opposed the bail application.

7. After hearing learned counsel for the parties and taking into consideration the statement of the deceased before the Investigating Officer, which tantamounts to a dying declaration, 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***.

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
(Ravi Kant)