



2026:AHC:19236

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 43979 of 2024**

Vickki Yadav Alias Vikas Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

Counsel for Applicant(s) : Amit Kumar Yadav, Karunesh Pratap Singh

Counsel for Opposite Party(s) : Sheshadri Trivedi, G.A.

**Court No. - 66**

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

1. List has been revised.
2. Heard Sri Amit Kumar Yadav, learned counsel for applicant, Sri Sheshadri Trivedi, learned counsel for the informant, Sri R.P. Patel, learned State Law Officer for the State and perused the material placed on record.
3. This is the third bail application on behalf of the applicant. The first and the second bail applications were rejected by Co-ordinate Benches of this Court vide orders dated 16.3.2028 and 25.4.2024 and passed in Criminal Misc. Bail Application Nos.5744 of 2018 and 30538 of 2019.
4. The present bail application has been filed by the applicant in Case Crime No.116 of 2017, under Sections 147, 148, 149, 120-B, 302 I.P.C., Police Station Cantt, District Gorakhpur with the prayer to enlarge him on bail.
5. Learned counsel for the applicant has stated that as a new ground, it is the period of incarceration on which the applicant is entitled for bail as he is in jail since 07.03.2017 and eight years and ten months have passed since his incarceration. He is ready to cooperate with trial. In case, he is released on bail, he will not misuse the liberty of bail.
6. Per contra, learned counsel for the informant and learned State Law Officer have vehemently opposed the bail application on the ground that the trial is at its conclusive end, as such, he is not entitled for bail.

7. This Court had called for the status of trial from the concerned Trial Court. As per the said status report dated 09.04.2025, the statement of the accused under Section 313 Cr.P.C. has already been recorded.

8. 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.

9. After hearing the rival submissions advanced by learned counsel for the parties and taking into consideration the fact that the trial is almost at its logical end, 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**.

10. 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.

11. 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)