



2026:AHC:14238

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 465 of 2025**

Mustkeem

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Ajay Kumar Pandey, Vivek Singh  
Counsel for Opposite Party(s) : G.A.

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**Court No. - 66**

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

1. List has been revised.
2. Heard Sri Ajay Kumar Pandey, learned counsel for the applicant and Sri Ram Mohit Yadav, learned A.G.A. for the State and perused the record.
3. Applicant seeks bail in Case Crime No. 70 of 2020, under Section 302 of I.P.C., Police Station - Bhawanpur, District Meerut, during the pendency of trial.
4. Learned counsel for the applicant has submitted that the applicant is innocent and has been falsely implicated in the present case. He has nothing to do with the said offence as alleged in the FIR. The applicant is languishing in jail since 29.12.2023, having no criminal history to his credit. In case, the applicant is released on bail, he will not misuse the liberty of bail and shall cooperate with trial.
5. Per contra, learned AGA has vehemently opposed the bail application on the ground that the deceased has sustained burn injuries and there is a dying deposition before the doctor concerned, as such, the applicant is not entitled for bail.
6. This Court had called for a report regarding the status of trial and in compliance thereof, a report has been submitted by the Trial Court concerned on 08.12.2025. As per the said report, three witnesses have

been examined during trial, as such, the trial is at its conclusive end.

7. 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.

8. Considering the facts and circumstances of the case, submissions advanced by learned counsel for the parties, the aforesaid judgement of Supreme Court and taking into consideration the statement of the deceased person before doctor concerned and also the fact that three witnesses have been examined, I do not find it a fit case to release the applicant on bail.

9. The bail application is, accordingly, **rejected**.

10. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously, in view of the principle laid down in the recent judgements 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 20, 2026**

Siddhant