



2026:AHC:14288

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 3784 of 2025

Raj Kumar Alias Raju

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Vijay Bahadur
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Vijay Bahadur, learned counsel for applicant, Sri Sunil Kumar, learned A.G.A. 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. 263 of 2021, under Sections 302 IPC, Police Station Kotwali Nagar, District Aligarh, with the prayer to enlarge him on bail.
4. This is the second bail application filed on behalf of the applicant. The first one was rejected by a co-ordinate Bench of this Court vide order dated 26.4.2023 passed in Criminal Misc. Bail Application No. 49160 of 2022.
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 21.10.2021 and more than four years have passed since his incarceration and his fundamental rights enshrined under Article 21 of the Constitution of India stands violated. In case, the applicant is released on bail, he will not misuse the liberty of bail.
6. Per contra, learned A.G.A. has vehemently opposed the bail application on the ground that the trial is almost at its logical end as per the status report dated 11.12.2025, which indicates that seven witnesses have already been examined. There is likelihood of early conclusion of trial.

7. After hearing learned counsel for the parties and taking into consideration the status report, which indicates that seven witnesses have already been examined, as such, the trial being at its conclusive stage, 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 20, 2026

Shalini