



2026:AHC:16010

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 5167 of 2025

Vineet @ Vinesh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Abhishek Mayank
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Abhishek Mayank, learned counsel for the applicant as well as Sri V.K.S. Parmar, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.77 of 2021, under Sections 302, 452 I.P.C., Police Station- Shikarpur, District- Bulandshahar, during the pendency of trial.
4. This is the second bail application on behalf of the applicant. The first bail application was rejected by the Co-ordinate Bench of this Court vide order dated 18.11.2021 passed in Criminal Misc. Bail Application No.38410 of 2021.
5. Learned counsel for the applicant has stated that the applicant is languishing in jail since 9.3.2021, as such, he is incarcerated in jail for almost five years and there is no likelihood of conclusion of trial in near future. As such, the fundamental rights of the applicant enshrined under Article 21 of the Constitution of India stand violated. There is no criminal antecedent of the applicant. He is ready to cooperate with trial. 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.
7. This Court had called for the status of trial from the concerned trial court.

As per the said status report dated 5.12.2025, the case is fixed for final argument and even the parties have been partially heard and their arguments are in progress.

8. 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.

9. After hearing learned counsel for the parties and taking into consideration the fact that the trial is at its conclusive 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 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 21, 2026

Vikas Verma