



2026:AHC:12281

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 6887 of 2025

Lakhan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ajay Kumar Chaurasia
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Ajay Kumar Chaurasia, learned counsel for applicant, Sri R.P. Patel, 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 S.S.T. No.2624 of 2020, Case Crime No.542 of 2020, under Section 302 I.P.C., Police Station Sikandara, District Agra with the prayer to enlarge him on bail.
4. Learned counsel for the applicant has stated that the applicant has nothing to do with the said offence. The only evidence that has come up against the applicant is the CCTV footage, which shows that the applicant was going with the deceased, but there is no evidence that the applicant has committed the murder. There is no eye-witness account. It has not come up that the applicant was seen committing the said offence. There is no evidence that the applicant left the said guest house and was visible in the CCTV footage. The applicant is in jail since 22.09.2020. He is ready to cooperate with trial. In case, he is released on bail, he will not misuse the liberty of bail.
5. Per contra, learned State Law Officer has vehemently opposed the bail application on the ground that the applicant was seen going towards the place of occurrence and the dead body has been recovered from the very same guest house and there was no other person who had access to the said

guest house at that point of time. The best person to tell about his own escape is the accused, as such, the applicant is not entitled for bail. Room no.121 was booked by the applicant and deceased person.

6. This Court had called for the status of trial from the concerned Trial Court. As per the said status report dated 28.11.2025, 6 witnesses have been examined.

7. 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.

8. After hearing the rival submissions advanced by learned counsel for the parties and taking into consideration the fact that the applicant was seen going towards the place of occurrence and the dead body has been recovered from the very same guest house, 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**.

9. 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.

10. 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 19, 2026
(Ravi Kant)