



2026:AHC:12801

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 15080 of 2025

Shivam

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Manoj Kumar Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Manoj Kumar Tiwari, learned counsel for the applicant and Sri Sanjeev Singh, learned AAG assisted by Sri Sunil Kumar, learned A.G.A. for the State and perused the record.
3. This is the second bail application filed on behalf of the applicant seeking bail in **Case Crime No. 119** of 2014, **under Sections 302, 201** of IPC, **Police Station-** Jhunsi, **District -** Allahabad, during the pendency of trial.
4. The first bail application of the applicant was rejected by this Court vide order dated 12.04.2018 passed in Criminal Misc. Bail Application No. 33854 of 2015.
5. Learned counsel for the applicant has not put forward any new ground for bail except the period of incarceration which is more than ten year as he is in jail since 26.03.2014. Learned counsel has stated that the applicant has no criminal history and in case, the applicant is released on bail, he will not misuse the liberty of bail.
6. Per contra, learned A.A.G. assisted by learned A.G.A. has vehemently opposed the bail application.
7. 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 02.12.2025. As per the said report, the file was fixed for final argument on 10.12.2025, as such, the trial is at its conclusive end.

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. Since no new ground could be brought up by learned counsel for the applicant and the trial is at its conclusive end, I do not find it a fit case for bail. Without expressing any opinion on the merits of the case, this Court is not inclined to release the applicant on bail.

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

11. 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.

12. 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.

January 19, 2026
Siddhant

(Krishan Pahal,J.)