



2026:AHC:13684

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 15383 of 2024**

Maya Devi

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

Counsel for Applicant(s) : Manoj Kumar Srivastava, Pramod  
Kumar Srivastava

Counsel for Opposite Party(s) : G.A.

**Court No. - 66**

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

1. List has been revised.
2. Heard Sri Pramod Kumar Srivastava, learned counsel for applicant, Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. This is the second bail application on behalf of the applicant. The first one was rejected by Co-ordinate Bench of this Court vide order dated 6.2.2023 passed in Criminal Misc. Bail Application No.50891 of 2021.
4. The present bail application has been filed by the applicant in Case Crime No.108 of 2018, under Sections 302 and 201 IPC, Police Station Pahadi, District Chitrakoot with the prayer to enlarge him on bail.
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 13.07.2018 and seven and a half years have passed since his incarceration. The fundamental rights of the applicant enshrined under Article 21 of the Constitution of India stand violated. He is ready to cooperate with trial. In case, he is released on bail, he will not misuse the liberty of bail.
6. Much reliance has been placed on the judgment of Supreme Court passed in **Union of India vs. K.A. Najeeb, AIR 2021 SC 712**. Para 16 of the judgment is being reproduced herein below:

*"This Court has clarified in numerous judgments that the liberty guaranteed by Part III of the Constitution would cover within its protective ambit not only due procedure and fairness but also access to justice and a speedy trial. In Supreme Court Legal Aid Committee Representing Undertrial Prisoners v. Union of India, it was held that undertrials cannot indefinitely be detained pending trial. Ideally, no person ought to suffer adverse consequences of his acts unless the same is established before a neutral arbiter. However, owing to the practicalities of real life where to secure an effective trial and to ameliorate the risk to society in case a potential criminal is left at large pending trial, Courts are tasked with deciding whether an individual ought to be released pending trial or not. Once it is obvious that a timely trial would not be possible and the accused has suffered incarceration for a significant period of time, Courts would ordinarily be obligated to enlarge them on bail."*

7. Per contra, learned A.G.A. has vehemently opposed the bail application on the ground that the trial is at its conclusive end.

8. This Court had called for the status of trial from the concerned Trial Court. As per the said status report dated 14.11.2025, the case is fixed for final arguments.

9. 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.

10. After hearing the rival submissions advanced by learned counsel for the parties and taking into consideration the fact that the trial is almost at its logical 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***.

11. 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.

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.

**(Krishan Pahal,J.)**

**January 20, 2026**

(Ravi Kant)