



2026:AHC:11923

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 19328 of 2024

Amit

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ashish Srivastava, Pravesh Kumar,
Ramesh Chandra Yadav, Sunil Kumar
Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed by learned counsel for the applicant is taken on record.
2. Heard Sri Ramesh Chandra Yadav and Sri Sunil Kumar, learned counsels for applicant, Sri Sanjeev Singh, learned Additional Advocate General assisted by Sri Sunil Kumar, learned Additional Government Advocate 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. 702 of 2023, under Sections 364, 302, 201, 120-B, 34, 404 IPC, Police Station Kotwali Dehat, District Bulandshahr, 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 FIR was instituted after the inquest report, whereby the inquest report mentions the case crime number of the instant case, as such, it is a clear-cut case of false implication. The FIR seems to be anti-time.
5. The applicant is named in the FIR but the eye-witnesses PW-1 and PW-2 are not the real witnesses. Rather, they have given hearsay evidence. Even PW-3 is not the eye-witness. He is stated to have identified the applicant and other co-accused persons in the CCTV footage received from the OYO hotel. The hotel owner Rohit and his employee namely, Aman Jadaun have

been examined by the investigating officer and they have not nominated the applicant. Rather they have nominated the other co-accused persons namely, Arjun, Veerpal and Neeraj @ Bhim, as such, the applicant is entitled for bail.

6. The applicant is in jail since 19.12.2023 and two years and one month have passed since his incarceration. He is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

7. Per contra, learned A.G.A. has vehemently opposed the bail application on the ground that the applicant was visible in the CCTV footage committing the said crime, as such, his complicity is established.

8. After hearing learned counsel for the parties and taking into consideration the fact that the applicant is visible in the CCTV footage, 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

Shalini