



2026:AHC:16218

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 42651 of 2024

Sanjay Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Anuj Bajpai, Kamlesh Kumar Mishra
Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Anuj Bajpai, learned counsel for applicant and Sri Jai Kishan Chaurasia, 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 Case Crime No.106 of 2024, under Sections 302, 201/34 I.P.C., Police Station- Bisalpur, District- Pilibhit with the prayer to enlarge him on bail.
4. Learned counsel for the applicant has stated that the applicant has been falsely implicated in the present case. He has nothing to do with the said offence. There is no criminal history of the applicant. The applicant is in jail since 13.3.2024 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.
5. Per contra, learned A.G.A. has vehemently opposed the bail application on the ground that there is recovery of the dead body of the deceased person at the pointing out of the applicant, as such, he is not entitled for bail.
6. This Court had called for the status of trial from the concerned trial court. As per the said status report dated 9.12.2025, four witnesses have already been examined.
7. 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.

8. After hearing learned counsel for the parties and taking into consideration the fact that the dead body of the deceased person has been recovered at the pointing out of the applicant coupled by the fact that trial is going on as already four witnesses have been examined, 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 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 21, 2026

Vikas Verma