



2026:AHC:8315

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 11494 of 2025

Farooq

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Anupam Anand, Shikhar Awasthi
Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Yash Pratap Singh, Advocate holding brief of Sri Shikhar Awasthi, 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 dismissed by Co-ordinate Bench of this Court vide order dated 29.6.2021 passed in Criminal Misc. Bail Application No.34558 of 2020.
4. The present bail application has been filed by the applicant in Case Crime No.0382 of 2019, under Section 302 IPC, Police Station Khurja Nagar, District Bulandshahr 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 27.06.2019 and about six and a half years 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.
6. Learned A.G.A. has vehemently opposed the bail application on the ground that the trial is at its conclusive end.
7. This Court had called for the status of trial from the concerned Trial Court. As per the said status report dated 23.04.2025, eleven witnesses have been examined and only one prosecution witness remains to be cross-

examined.

8. After hearing learned counsel for the parties and taking into consideration the fact that no new ground is there for pressing the second bail application coupled with the fact that the trial is at its conclusive 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***.

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 13, 2026

(Ravi Kant)