



2026:AHC:9878

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 31764 of 2025

Mohit

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Lalit Kumar Misra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard learned counsel for applicant, Sri V.K.S. Parmar, learned A.G.A. 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. 260 of 2023, under Sections 302, 34 IPC and 3/25/27 Arms Act, Police Station Tilhar, District Shahjahanpur, with the prayer to enlarge him on bail.
4. Learned counsel for the applicant has stated that as the trial is moving at a snail's pace, there is no likelihood of conclusion of trial in the near future. There is no evidence to implicate the applicant. The evidence, if any, is of hearsay. The statement of only three witnesses have been examined i.e. PW-1, PW-2 and PW-3 namely Ranjeet, Patiram and Anil, respectively. The said witness Anil is not an eye witness. Rather, he has seen the applicant running away from the scene of occurrence alongwith the co-accused person Sadawati, after the incident. The applicant is in jail since 23.4.2023 and 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 the already three witnesses have been examined and they have deposed against the applicant. The statement of the witness Anil stands covered by Section 6 of the Indian Evidence Act, as such, the applicant is not entitled for bail.

6. After hearing learned counsel for the parties and taking into consideration the fact that the three witnesses examined in Court have deposed against the applicant, 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***.

7. 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.

8. 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 14, 2026

Shalini