



2026:AHC:9895

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 31786 of 2025

Dinesh Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Pulak Ganguly, Ravi Bhushan Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Pulak Ganguly, learned counsel for applicant, Sri A.K. Mishra, 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. 37 of 2023, under Section 302 IPC, Police Station Sadat, District Ghazipur, 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. There is no eye witness to the incident. The person, who had given the information to the first informant about the incident has turned hostile, and he was produced as PW-2 during trial. The said person is the father of the applicant. The applicant is in jail since 26.3.2023 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 it is an open and shut case. The applicant has put his wife to death. She has expired within the precincts of his house and has sustained six injuries in all. The circumstances of her death are to be explained by the applicant only, as such, he is not entitled for bail.
6. This Court had called for the status of trial. As per status report dated 3.11.2025, four witnesses have been examined.

7. After hearing learned counsel for the parties and taking into consideration the fact that the wife of the applicant had expired within the precincts of the house of the applicant due to the injuries sustained by her, which remained unexplained by 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***.

8. 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.

9. 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