



2026:AHC:10022

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 35886 of 2025

Sadik

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Arvind Kumar Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit filed today by the learned counsel for the applicant is taken on record.
2. Heard Sri Arvind Kumar Mishra, learned counsel for the applicant and Sri Ram Mohit Yadav, learned A.G.A. for the State and perused the material placed on record.
3. This bail application has been filed on behalf of the applicant seeking bail in **Case Crime No. 440 of 2024, under Section 302 of IPC and Sections 3/25/27 of Arms Act, Police Station- Baghpat, District - Baghpat**, during the pendency of trial.
4. As per prosecution story, the applicant is stated to have committed the murder of his sister, Reena, by firing a gunshot at her on 19.05.2024 at about 01:30 PM at the house of his sister Asfa.
5. Learned counsel for the applicant has argued that the applicant is innocent and has been falsely implicated in the present case. It is submitted that the informant (father of the applicant) and the sister of the applicant have already been examined as P.W.-1 and P.W.-2, respectively, and they have not supported the prosecution version. They have completely resiled from their earlier statements given to the I.O. and the allegations of the FIR. The witnesses have been cross-examined by the public prosecutor after declaring them hostile. There is no possibility of conviction in the present case under the circumstances.
6. Learned counsel has further submitted that the applicant is languishing in jail since 19.05.2024, having no criminal history to his credit. In case, the

applicant is released on bail, he will not misuse the liberty of bail and shall cooperate with trial.

7. Per contra, learned A.G.A. has vehemently opposed the bail application, contending that the applicant is the sole accused named in the FIR, which has been lodged by his own father, leaving no occasion for false implication. It is further submitted that the deceased expired within the precincts of the house of the applicant's sister, and therefore, the applicant does not deserve to be released on bail.

8. In rebuttal, learned counsel for the applicant has submitted that the deceased was living under depression on account of her divorce and had committed suicide. It is further contended that the trajectory of the gun-shot injury sustained by the deceased clearly supports the defence version of suicide and rules out homicidal intent on the part of the applicant.

9. Considering the facts and circumstances of the case, submissions advanced by learned counsel for the parties and taking into consideration the fact that the applicant is the sole accused and the FIR has been lodged by his own father, I do not find it a fit case to release the applicant on bail.

10. The bail application is, accordingly, **rejected**.

11. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously, in view of the principle laid down in the recent judgements 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.

12. 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.

January 14, 2026
Siddhant

(Krishan Pahal,J.)