



2026:AHC:7851

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 39740 of 2024

Satendra Yadav @ Satender Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Kumar Ashutosh Srivastava,
Mashaluddin Shah, Nagendra Bahadur
Singh

Counsel for Opposite Party(s) : G.A., Jay Shankar Tiwari, Rahul
Kumar Mishra

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. None is present on behalf of the informant even in the revised call.
2. Heard Sri Chetan Prakash, Advocate holding brief of Sri Mashaluddin Shah, learned counsel for the applicant and Sri Arun Kumar Mishra, learned A.G.A. for the State and perused the record.
3. This bail application has been filed on behalf of the applicant seeking bail in **Case Crime No. 39 of 2024, under Sections 302, 201 of IPC, Police Station- Bankata, District - Deoria**, during the pendency of trial.
4. Learned counsel for the applicant has submitted that the applicant is innocent and has been falsely implicated in the present case and has no concern whatsoever with the offence as alleged in the FIR. It is further submitted that the applicant was married to the informant's niece in the year 2013, and out of the said wedlock, three children were born, who were aged about 9, 6 and 4 years respectively at the time of the alleged incident, which occurred in the year 2024.
5. Learned counsel has further contended that the applicant is languishing in jail since 23.02.2024, 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.

6. Per contra, learned AGA has vehemently opposed the bail application on the ground that the cause of death of deceased is asphyxia as a result of ante mortem strangulation. The deceased has expired within the precincts of the house of the applicant. The applicant, being her husband, is the main accused person, as such, he is not entitled for bail.

7. This Court had called for a report regarding the status of trial and in compliance thereof, a report has been submitted by the Trial Court concerned on 29.11.2025. As per the said report, eight witnesses have already been examined and the cross-examination of P.W. 8 is going on, as such, the trial is at its conclusive end.

8. 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.

9. Considering the facts and circumstances of the case, the submissions advanced by learned counsel for the parties, and the aforesaid judgment of the Supreme Court, and further taking into consideration that the cause of death of the deceased is asphyxia as a result of ante-mortem strangulation, which occurred within the precincts of the applicant's house, coupled with the fact that the applicant, being the husband of the deceased, is the main accused, and that the trial is at its conclusive stage, this Court does not find it to be a fit case for granting bail to the applicant.

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.

(Krishan Pahal,J.)

January 13, 2026
Siddhant