



2026:AHC:12506

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 45933 of 2024

Deepak Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ardhendu Shekhar Sharma, Ram Babu Sharma
Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Ram Babu Sharma, learned counsel for the applicant as well as Sri R.P. Patel, learned State Law Officer and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.253 of 2023, under Sections 302, 34 I.P.C., Police Station- Jahangirabad, District- Bulandshahar, during the pendency of trial.
4. This is the second bail application on behalf of the applicant. The first bail application was rejected by the Co-ordinate Bench of this Court vide order dated 1.5.2024 passed in Criminal Misc. Bail Application No.16853 of 2024.
5. As a new ground, learned counsel for the applicant has stated that there is material contradiction regarding the weapon of recovery. It is mentioned that assault was made by the applicant with a knife while a Chhuri has been recovered at his pointing out. The said fact has been mentioned by the Investigating Officer itself.
6. It is further argued by learned counsel for the applicant that there is no likelihood of conclusion of trial in near future. The applicant is languishing in jail since 28.5.2023, as such, the period of incarceration is more than two and a half years. The fundamental rights of the applicant enshrined under Article 21 of the Constitution of India stand violated. There is no criminal

antecedent of the applicant. He is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

7. Per contra, learned State Law Officer has vehemently opposed the bail application.

8. This Court had called for the status of trial from the concerned trial court. As per the said status report dated 2.12.2025, two witnesses have been examined. PW-1 has been examined for four dates.

9. 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.

10. After hearing learned counsel for the parties and taking into consideration that there is no new ground for pressing the second bail application except the period of incarceration and some contradictions in the statements of witnesses coupled with the fact that trial is going on, I do not find it a fit case for grant of bail to the applicant.

11. The present bail application is hereby found devoid of merits and is accordingly **rejected**.

12. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously 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.

13. 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 19, 2026

Vikas Verma