



2026:AHC:8462

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 47145 of 2024

Navneet Singh @ Ganguli

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Jitendra Singh, Raghvendra Prakash
Counsel for Opposite Party(s)	: G.A., Suneel Thekma

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Ratghvendra Prakash, learned counsel for applicant, Sri Vivek Chaturvedi, Advocate holding brief of Sri Suneel Thekma, learned counsel for the informant, Sri Sunil Kumar, 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.338 of 2023, under Sections 302, 506 IPC, Police Station Didarganj, District Azamgarh with the prayer to enlarge him on bail.
4. As per prosecution story, the applicant is stated to have assaulted and caused stab wounds to the neck of the deceased person on 23.12.2023 at about 12:30 p.m.
5. Learned counsel for the applicant has stated that the FIR is delayed by about six hours, rather it is ante-time as the statement of the prosecution witness PW-1/informant was recorded and she has categorically stated that she had instituted the FIR after the post-mortem examination. The post-mortem examination has taken place on 24.12.2023 at about 1:05 p.m., as such, the complete exercise is ante-time.
6. Learned counsel for the applicant has further stated that the prosecution has nominated two more eye-witnesses, namely, Urmila and Suman, but they have been discharged as they did not support the prosecution story, as

such, it is a clear-cut case of false implication. The applicant is in jail since 25.12.2023 and is ready to cooperate with the trial. In case the applicant is released on bail, he will not misuse the liberty of bail.

7. Per contra, learned counsel for the informant and learned A.G.A. have vehemently opposed the bail application on the ground that the minor contradictions in the statements of the witnesses are bound to prefill.

8. The Supreme Court in the case of ***Bharwada Bhoginbhai Hirjibhai vs. State of Gujarat, (1983) 3 SCC 217*** has opined that in the current non permissive indian society, no girl would foist a false case of sexual assault against any person to avoid being maligned in society.

9. After hearing learned counsel for the parties and taking into consideration the judgment of Supreme Court passed in ***Bharwada Bhoginbhai Hirjibhai (Supra)***, 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***.

10. 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.

11. 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
(Ravi Kant)