



2026:AHC:16273

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 790 of 2026

Gudiya

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Aashirwad Mishra, Sanjay Kumar
Mishra

Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Sanjay Kumar Mishra, learned counsel for applicant, Sri Vijay Kumar Tiwari, learned counsel for the informant as well as Sri R.P. Singh, learned State Law Officer and perused the material placed on record.
3. The present bail application has been filed by the applicant in Session Trial No.485 of 2025 arising out of Case Crime No. 0008 of 2025, under Sections 85, 103(1), 238(A), 240 BNS, Police Station Jataha Bazar, District Kushinagar, with the prayer to enlarge her on bail.
4. This is the second bail application filed on behalf of the applicant. The first one was rejected by this Court vide order dated 1.9.2025 passed in Criminal Misc. Bail Application No. 23268 of 2025.
5. Learned counsel for the applicant has stated that as a new ground, it is the period of incarceration on which the applicant is entitled for bail as she is in jail since 7.1.2025 as such, one year has passed since her incarceration. In case, the applicant is released on bail, she will not misuse the liberty of bail.
6. Per contra, learned State Law Officer has vehemently opposed the bail application.
7. After hearing learned counsel for the parties and taking into consideration the fact that no new ground is there for pressing the second bail application,

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 22, 2026

Shalini