



2026:AHC:16031

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 43322 of 2024

Puneet

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Brahma Kumar Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Brahma Kumar Tiwari, learned counsel for applicant, Sri Ram Mohit Yadav, 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.274 of 2024, under Sections 191(2), 191(3), 190, 115(2), 118(1), 109, 333, 103(1), 3(5) B.N.S. and 4/25 Arms Act, Police Station Khatauli, District Muzaffar Nagar with the prayer to enlarge him on bail.
4. As per prosecution story, in all nine accused persons were named in the FIR alongwith some unknown person who are stated to have assaulted and caused stab wound to Shyam Kumar, whereby the informant and one Rajeev Kumar rushed to save him and they were also injured by other accused persons who were carrying lathi, danda and sword.
5. Learned counsel for the applicant has stated that the applicant is languishing in jail since 22.7.2024, as such, the applicant is incarcerated in jail for about one and a half years. There is no likelihood of conclusion of trial in near future as only one witness has been examined to date. As such, the fundamental rights of the applicant enshrined under Article 21 of the Constitution of India stand violated. There is no criminal history of the applicant and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

6. Per contra, learned A.G.A. has vehemently opposed the bail application on the ground that in the statement of two injured persons, it has come up that applicant and co-accused person Vikrant inflicted stab wound to the deceased person, thereby causing his death. As such, the applicant and accused Vikrant are the main accused persons.

7. This Court had called for the status of trial from the concerned trial court. As per the said status report dated 2.12.2025, only one witness has been examined.

8. After hearing learned counsel for the parties and taking into consideration the fact that the applicant alongwith co-accused person Vikrant has been assigned the role of causing stab wound to the deceased person by the two injured persons coupled by the fact that the trial is going on as one witness has already been examined, I do not find it a fit case for grant of bail to the applicant.

9. 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 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 21, 2026

Vikas Verma