



2026:AHC:13799

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 43857 of 2024

Javed

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Krishna Kant Mishra, Vivek Shukla
Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard learned counsel for applicant, 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.97 of 2024, under Sections 498-A, 304-B, 307, 302 IPC, Police Station Loni Border, District Ghaziabad with the prayer to enlarge him on bail.
4. As per prosecution story, the applicant is stated to have committed brutal murder of his wife for demand of dowry.
5. Learned counsel for the applicant has stated that subsequently charge under Section 302 I.P.C. has also been framed against the applicant. There is no likelihood of conclusion of trial in near future. The applicant is in jail since 18.02.2024, as such, the period of incarceration is a bit less than 2 years. He is ready to cooperate with trial. In case, he 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 the applicant is the husband of the deceased person and the deceased has expired within the precincts of the house of the applicant, as such, he is not entitled for bail.
7. This Court had called for the status of trial from the concerned Trial Court. As per the said status report dated 13.12.2025, two witnesses have

been examined and the trial is going on. The cross-examination of PW-2 is pending.

8. After hearing learned counsel for the parties and taking into consideration the deceased having expired within the precincts of the house of the applicant and the cause of death being ante-mortem injuries sustained, 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***.

9. 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.

10. 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 20, 2026

(Ravi Kant)