



2026:AHC:12349

**HIGH COURT OF JUDICATURE AT ALLAHABAD**  
**CRIMINAL MISC. BAIL APPLICATION No. - 1276 of 2026**

Sonu Saini

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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| Counsel for Applicant(s)      | : | Sunil Kumar Dubey |
| Counsel for Opposite Party(s) | : | G.A.              |

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**Court No. - 66**

**HON'BLE KRISHAN PAHAL, J.**

1. List has been revised.
2. Heard Sri Sunil Kumar Dubey, learned counsel for the applicant and Sri Sanjeev Singh, learned A.A.G. assisted by Sri Sunil Kumar, learned A.G.A. for the State and perused the record.
3. This bail application has been filed on behalf of the applicant seeking bail in **Case Crime No. 189 of 2024, under Section 103(1) of BNS, Police Station- Hajratnagar Garhi, District - Sambhal**, during the pendency of trial.
4. As per prosecution story, the applicant and other family members are stated to have committed the murder of informant's sister as she did not vacate the house which had to be given to the brother-in-law (Jeth) of the applicant.
5. Learned counsel for the applicant has submitted that the applicant is innocent and has been falsely implicated in the present case. He has nothing to do with the said offence as alleged in the FIR.
6. Learned counsel has also stated that there are general and omnibus allegations against all the accused persons. The applicant has simply been made an accused on account of him being the husband of the deceased person. Subsequently, a false recovery of knife has been foisted on the applicant.
7. Learned counsel has further contended that the applicant is the husband of the deceased person. He is languishing in jail since 23.10.2024, having no criminal history to his credit. In case, the applicant is released on bail, he

will not misuse the liberty of bail and shall cooperate with trial.

8. Per contra, learned AAG assisted by learned AGA has vehemently opposed the bail application on the ground that the applicant is the primary accused. A knife was recovered at the pointing out of the applicant, and the deceased sustained fatal stab injuries inflicted by the said knife carried by the applicant, as such, the applicant is not entitled to be enlarged on bail.

9. Considering the facts and circumstances of the case, submissions advanced by learned counsel for the parties and taking into consideration the fact that the applicant being the primary accused and role of causing stab wound to the deceased has been assigned to him, I do not find it a fit case to release the applicant on bail.

10. The bail application is, accordingly, **rejected**.

11. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously, in view of the principle laid down in the recent judgements 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.

12. 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.

**January 19, 2026**  
Siddhant

**(Krishan Pahal,J.)**