



2026:AHC:4846

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 44934 of 2025

Babu Lal

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Anand Pati Tiwari
Counsel for Opposite Party(s)	:	G.A., Neeraj Kumar Srivastava

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Anand Pati Tiwari, learned counsel for applicant, Sri Neeraj Kumar Srivastava, learned counsel for the informant, Ms. Ifrah Islam, learned State Law Officer 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.953 of 2024, under Sections 103(1), 3(5) B.N.S., Police Station Khurja Nagar, District Bulandshahr with the prayer to enlarge him on bail.
4. Learned counsel for the applicant has stated that the applicant has been falsely implicated in the present case. He has nothing to do with the said offence, although he has been assigned the role of having fired at the deceased person. The criminal history assigned to the applicant has been explained. The applicant is in jail since 13.10.2024 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.
5. Per contra, learned counsel for the informant and learned State Law Officer have vehemently opposed the bail application on the ground that the applicant is the primary accused person, as such, he is not entitled for bail.

6. After hearing learned counsel for the parties and taking into consideration the fact that applicant had committed the murder of the deceased person and he is the sole named accused person in the FIR, which is promptly instituted, I do not find it a fit case for grant of bail to the applicant.

7. 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 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 8, 2026

Vikas Verma