



2026:AHC:9930

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 31790 of 2025

Vishal Sahni

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Mantosh Singh, Rishabh Kumar
Counsel for Opposite Party(s)	: G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Rishabh Kumar, learned counsel for applicant, Sri Sunil Kumar, 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. 57 of 2025, under Sections 103(1), 238(A) BNS, Police Station Kotwali, District Jaunpur, with the prayer to enlarge him on bail.
4. Learned counsel for the applicant has stated that the prosecution story stands falsified from the fact that it has come up in the statement of the applicant before the police that he committed the murder with spatula and a false recovery of spatula has been foisted on the applicant but the post-mortem report does not corroborate the prosecution story. Rather the cause of death was found to be asphyxia as a result of ante-mortem strangulation, as such, the applicant is entitled for bail. The statement of the accused before the police has no evidentiary value in the eyes of law.
5. There is no eye-witness of the incident. The applicant is in jail since 1.3.2025 and 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 the applicant was seen by the neighbours carrying a

suitcase in which the dead body has been recovered subsequently. The recovery, if any, has been made at the pointing out of the applicant only, which may be his effort to somehow bluff the police, as such, the applicant is not entitled for bail.

7. After hearing learned counsel for the parties and taking into consideration the fact that the applicant was seen by the neighbours carrying a suitcase in which the dead body was recovered subsequently, 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 14, 2026

Shalini