



2026:AHC:3248

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 46016 of 2025

Arpit Roshan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Manoj Kumar, learned counsel for applicant, Sri Ashutosh Upadhyay, learned counsel for the informant, Sri R.P. Patel, 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.0250 of 2025, under Sections 103(1), 238(Ka), 3(5) B.N.S., Police Station Asmoli, District Sambhal with the prayer to enlarge him on bail.
4. Learned counsel for the applicant has claimed parity with co-accused person Bobby who has already been enlarged on bail by this Court vide order dated passed in Criminal Misc. Bail Application No.44071 of 2025, as such, the applicant is also entitled to be enlarged on bail on the ground of parity. He is in jail since 20.09.2025 and is ready to cooperate with trial. In case, he 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 there is recovery of golden chain and the dead body at the pointing out of the applicant.
6. It is particularly argued by the counsel for the informant that the dead body was recovered, being found concealed in the furnace of brick-kiln, at the pointing out of the applicant, which was in his special knowledge only.

Even it has come up in the statement of the co-accused person that the deceased had bitten the finger of the applicant, which also stands corroborated from his medical examination, as such, the applicant is not entitled to bail.

7. After hearing learned counsel for the parties and taking into consideration the fact that the dead body of the deceased was recovered at the pointing out of the applicant alongwith golden chain, 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 7, 2026
(Ravi Kant)