



2026:AHC:5724

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 45134 of 2025**

Sajjad

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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|-------------------------------|---|------------------|
| Counsel for Applicant(s)      | : | Prakash Tripathi |
| 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 Manoj Pandey, Advocate holding brief of Sri Prakash Tripathi, learned counsel for the applicant, Sri Sanjeev Singh, learned Additional Advocate General, assisted by Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.346 of 2025, under Sections 103(1), 333, 115(2), 352, 351(3), 3(5) B.N.S., Police Station- Chandpur, District- Bijnor, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. He has nothing to do with the said offence. The applicant is the primary accused person but there are general and omnibus allegations against all the accused persons in the FIR itself.
5. Learned counsel for the applicant has further stated that subsequently, it has been stated that applicant had hit the deceased person with *Danda* on his head. As such, the applicant is also entitled for bail on the ground of parity with co-accused persons Islam and Rehana.
6. It is further argued by learned counsel for the applicant that there is no criminal antecedent of the applicant. The applicant is languishing in jail since 22.6.2025 and he is ready to cooperate with trial. In case, the applicant

is released on bail, he will not misuse the liberty of bail.

7. Per contra, learned Additional Advocate General has vehemently opposed the bail application on the ground that the deceased person had sustained lacerated wound on his left side of skull and the said injury was the reason for his death, as such, the applicant is not entitled for bail.

8. After hearing learned counsel for the parties and taking into consideration the fact that applicant is the primary accused person and had inflicted fatal injury to the deceased person, I do not find it a fit case for grant of bail to the applicant.

9. The bail application is found devoid of merits and is, accordingly, **rejected**.

10. 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.

11. 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 9, 2026**

Vikas Verma