



2026:AHC:18176

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 17355 of 2025

Nizamuddin

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Rajiv Sisodia, Shashank Dwivedi
Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Shashank Dwivedi, 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.1034 of 2024, under Sections 103(1) B.N.S. and 4/25 Arms Act, Police Station Kotwali City, District Bijnor with the prayer to enlarge him on bail.
4. As per prosecution story, the applicant is stated to have stabbed and committed the murder of the wife in the night of 3.11.2024 at about 04:00 a.m.
5. Learned counsel for the applicant has stated that the FIR is too prompt as it was instituted at 05:24 a.m. The allegations are *per se* false. The applicant has nothing to do with the said offence. There is no criminal history of the applicant. The applicant is in jail since 4.11.2024, as such, the period of incarceration comes out to be more than one and a half years. He 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.
7. This Court had called for the status of trial from the concerned trial court. As per the said status report dated 22.1.2026, four witnesses have been examined.
8. After hearing learned counsel for the parties, taking into consideration the promptness of FIR and the applicant being the sole accused person having murdered his wife, 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 27, 2026
Vikas Verma