



2026:AHC:91925

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 22572 of 2025

Akash Chauhan

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Ram Gopal, Satya Prakash Singh
Counsel for Opposite Party(s) : Chitra Sen Singh, G.A., Ravindra
Prakash Srivastava

Court No. - 65
(Sl. No. 95 out of 259)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. As informed by learned A.G.A., notice has been served to the informant on 5.7.2025.
2. Heard Sri Ram Gopal, learned counsel for applicant, Sri Akhil Krishna, learned Advocate holding brief for Sri Ravindra Prakash Srivastava, learned counsel for the informant as well as Sri A.K. Mishra, 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. 270 of 2024, under Sections 65(1), 352, 351(2) BNS, 3(1)(da), 3(1)(dha), 3(2)(VA), 3(2)(v) S.C/S.T. (Prevention of Atrocities) Act and 3/4 (2) POCSO Act, Police Station Waltergnaj, District Basti, with the prayer to enlarge him on bail.
4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The applicant is in jail since 20.12.2024 as such, the period of incarceration is 16 months and he has no criminal history. The applicant is a poor labourer. In case, he is released on bail, he will not misuse the liberty of bail.
5. Per contra, learned A.G.A. and learned counsel for the informant have vehemently opposed the bail application on the ground that this Court had called for the status of trial. As per the status report dated 9.4.2026, five witnesses have already been examined and the trial is at its conclusive end.

The trial is earmarked for the statement of the doctor.

6. The Supreme Court in case of *X vs. State of Rajasthan & Anr., 2024 INSC 909*, has held that once the trial has commenced, it should be allowed to reach to its final conclusion, which may either result in conviction or acquittal of the accused. The bail should not be normally granted to the accused after the charge has been framed. It should also not be granted by looking into the discrepancies here or there in the deposition.

7. After hearing learned counsel for the parties and taking into consideration the fact that the trial is going on and is at its conclusive end, 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.)

April 23, 2026

Shalini