



2026:AHC:208785

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 25040 of 2025**

Jittu

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Dharendra Kumar Srivastava, Girish Pandey

Counsel for Opposite Party(s) : G.A., Sharad Kumar

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**Court No. - 66**

**HON'BLE ARUN KUMAR SINGH DESHWAL, J.**

1. Heard Sri Girish Pandey, learned counsel for the applicant, Sri Sharad Kumar, learned counsel for the first informant, Sri Ramkumar Verma, learned A.G.A. for the State and perused the record.

2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 129 of 2024, under Section 304 I.P.C., Police Station Kotwali Dehat, District Mirzapur, during the pendency of the trial.

3. Contention of learned counsel for the applicant is that the applicant has been falsely implicated in the present case. There is no eye-witness of the incident in question and the first informant has not stated as to who brought the deceased to the hospital. It is further submitted that, on the pointing out of the applicant, an axe has been shown to have been recovered after eight months of the incident and no specific role has been assigned to the applicant. Therefore, the applicant is entitled to be released on bail. The applicant is a law-abiding citizen and has been languishing in jail since 23.01.2025. In case he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Per contra, learned counsel for the first informant as well as learned A.G.A. for the State have vehemently opposed the prayer for bail and submitted that not only the first informant but also other family members, who were eye-witnesses, have specifically stated that initially the

applicant, along with the co-accused, invited the victim to their home on 17.05.2024 and thereafter, at about 1:00 a.m. on 18.05.2024, the applicant and the co-accused mercilessly assaulted the deceased. Thereafter, the first informant, with the help of other family members, rushed the victim to the hospital, where she died. Therefore, the applicant is not entitled to be released on bail.

5. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and taking into account the fact that the eye-witnesses have made specific allegations against the applicant and the co-accused for assaulting the deceased and the post-mortem report of the deceased shows several injuries on her body, which resulted in her death, and though, on the pointing out of the applicant, the axe allegedly used in assaulting the deceased was also recovered, the FSL report is still awaited. Therefore, this Court is not inclined to release the applicant on bail.

6. Accordingly, the bail application filed on behalf of the applicant is hereby **rejected**. However, the learned trial court is directed to conclude the trial of the applicant as expeditiously as possible in view of the law laid down by the Hon'ble Apex Court in the Case of **Liakat Ali v. State of Jammu and Kashmir, Writ Petition (Crl.) No. 99 of 2026**, decided on **16.07.2026**.

7. Application, if any, stands **disposed of**.

8. The I.O. of the case is also directed to file the FSL report regarding the axe recovered on the pointing out of the applicant before the trial court within a period of one month from today. The In-Charge, FSL, Ramnagar, Varanasi is also directed to prepare the FSL report regarding the axe recovered on the pointing out of the applicant positively within a period of fifteen days from the date of receiving a copy of this order.

(Arun Kumar Singh Deshwal,J.)

**October 6, 2026**

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