



2026:AHC:56915

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 39181 of 2025

Mukesh Kumar @ Sugga

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Abdul Zarrar Khan, Deepak Singh Patel
Counsel for Opposite Party(s) : G.A.

Court No. - 66
(Sl. No. 48 out of 116)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Deepak Singh Patel, 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. 190 of 2022, under Sections 147, 148, 302, 120-B IPC, Police Station Soraon, District Prayagraj, 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. There are five injuries sustained by the deceased person as per the post-mortem report and the cause of death is trauma due to anti-mortem head injury. The deceased sustained head injury in an accident. The applicant has nothing to do with the offence. The FIR is delayed by about nine hours and there is no explanation of the said delay caused.
5. Learned counsel for the applicant has stated that the trial is moving at a snail's pace, as only four witnesses have been examined to date. The applicant is in jail since 17.4.2022, as such, the period of incarceration is a bit less than four years. 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

on the ground that the applicant is the husband and committed the murder of the deceased in his house only and has tried to show it to be an accidental death.

7. This Court had called for the status of trial. As per the status report dated 1.12.2025, four witnesses have been examined to date. PW-1 was examined on nine dates, PW-2 on five days, PW-3 on six dates and PW-4 on nine dates, as such, these circumstances speak volume of dilatory tactics of the applicant in cross-examining the witnesses.

8. After hearing learned counsel for the parties and taking into consideration the status report received from the trial court and also the fact that the applicant being the husband of the deceased, who has expired in his house only, 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**.

9. 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.

10. 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.)

March 19, 2026

Shalini