2026:AHC:227135

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 14360 of 2025

Sriram

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Kapil Tiwari, Surya Bhan Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Pankaj Dwivedi, learned Advocate holding brief for Sri Kapil Tiwari, learned counsel for applicant, 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. 339 of 2024, under Sections 115(2), 109, 351(2) BNS, Police Station Billsi, District Budaun, 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 being no cogent evidence on record regarding the said allegations. Two prosecution witnesses have not supported the prosecution story and they have completely resiled from their earlier statements and have been cross-examined by the public prosecutor after declaring them hostile. There is no likelihood of conviction of the applicant in the present case. The applicant is in jail since 29.8.2024, as such, period of incarceration is more than two years. The fundamental rights enshrined under Article 21 of the Constitution of India stand violated as there is no likelihood of early conclusion of trial in near future. In case, the applicant is released on bail, he will not misuse the liberty of bail.

5. Per contra, learned A.G.A. has vehemently opposed the bail application on the ground that the applicant assaulted and caused serious injuries to his

father.

6. This Court had called for the status of trial. As per the status report dated 22.10.2026, six witnesses have been examined and the case is fixed for the statement of the seventh witness.

7. After hearing learned counsel for the parties and taking into consideration the allegations that the applicant assaulted and caused serious injuries to his father, 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, 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.

10. The Registrar Compliance is directed to transmit a copy of this order to the trial court concerned for necessary compliance.

(Krishan Pahal,J.)

November 2, 2026
Shalini

Digitally signed by :-
SHALINI JAISWAL
High Court of Judicature at Allahabad