2026:AHC:208852

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 26954 of 2026

Hariom

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Amit Kumar Srivastava, Krishna Gopal
Counsel for Opposite Party(s) : G.A., Mohd Faiz

Court No. - 52

HON'BLE MRS. MANJU RANI CHAUHAN, J.

1. This is the third bail application. First bail application has been rejected by a detailed order of this Court dated 30.04.2024 and the second bail application has been rejected by order dated 06.10.2025.

2. Heard learned counsel for the applicant and Mr. Mohd. Faiz, learned counsel for the informant, and perused the material on record.

3. This third bail application has been filed on behalf of the applicant - Hariom with a prayer to release him on bail in Case Crime No. 470 of 2023, under Sections 323, 324, 504, 304 IPC, Police Station Bhuta, District Bareilly, during pendency of trial.

4. Learned counsel for the applicant submits that from the date of rejection of second bail application no other witness has been examined, however, 8 witnesses, who are witnesses of fact have already been examined. He further submits that the trial is being lingered on by the informant as at a very later stage an Application under Section 319 Cr.P.C. has been moved, wherein one Rajveer has been summoned, which is only to delay the conclusion of trial and in view of this as there are no chances of early conclusion of trial in near future, whereas all witnesses of fact have been examined. He, therefore, prays that considering the period of detention, the status of the trial which is not likely to be concluded in near future as well as the fact that the witnesses of fact have already been examined, the applicant may be enlarged on bail.

5. Per contra, learned counsel for the informant has vehemently opposed the bail prayer of the applicant by contending that the applicant is the main accused and the statement of P.W.-2, namely, Nanhey Lal has proved that the offence as against the applicant. He further contends that the

Investigating Officer and the Doctor are yet to be examined and the applicant is in a position to influence them which may affect the trial. Hence the applicant is not entitled for bail at this stage.

6. Taking into account the gravity of the offence, the evidence presented, the involvement of the accused, the severity of the punishment, and the arguments put forth by the learned counsel for both parties, I discern no compelling reason to exercise my discretion in favor of the accused applicant.

7. Accordingly, the bail application stands rejected.

8. However, it is expected that the trial court shall make all sincere endeavours to expedite the proceedings of the trial and conclude the same expeditiously, preferably within a period of two months from the date of production of a certified copy of this order. It goes without saying that if the witnesses -Investigating Officer and the Doctor do not turn up deliberately, then the court below has all the powers to adopt all the coercive measures provided under the Code in order to procure their presence.

9. Needless to say that in case the trial is not concluded within the aforementioned period, the applicant shall be at liberty to move bail application immediately after the expiry of two months before this Court.

October 6, 2026
DS

(Mrs. Manju Rani Chauhan,J.)

Digitally signed by :-
DIGAMBER SINGH
High Court of Judicature at Allahabad