2026:AHC:212922

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37862 of 2025

Sanjeev Kumar @ Golu

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Pratibha Jaiswal
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Miss Pratibha Jaiswal, learned counsel for the applicant and Sri B.P. Maurya 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. 100 of 2022, under Section 302, 504, 506 IPC, Police Station Ahraura, District Mirzapur, during the pendency of the trial.

3. It is contended by the learned counsel for the applicant that this is the third bail application on behalf of the applicant and his earlier two bail applications were rejected by this and while rejecting the second bail application on 23.4.2024, this Court directed the learned trial Court to expedite the trial and decide it, preferably within a period of ten months, however, even after a lapse of two and half years, trial has not concluded and till date only nine witnesses, out of 27 proposed have been examined. It is further submitted that trial is not likely to be concluded in near future and the applicant has been languishing in jail since 11.6.2022. It is lastly submitted that in case the applicant is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Per contra, learned A.G.A. has vehemently opposed the prayer for bail but could not dispute the aforesaid facts.

5. This is the third bail application on behalf of the applicant and his earlier two bail applications were rejected by this and second bail

application was rejected by this Court on 23.4.2024 by directing the learned trial Court to conclude the trial as expeditiously as possible, preferably within a period of ten months, however, even after a lapse of two and half years, trial has not concluded and till date only nine witnesses, out of 27 proposed have been examined. It is further that trial is not likely to be concluded in near future and the applicant has been languishing in jail since 11.6.2022.

6. Considering the period of incarceration of the applicant and the fact that the trial is not likely to be concluded in near future as well as entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of ***Kapil Wadhawan vs Central Bureau of Investigation*** reported in 2025 SCC OnLine SC 3038 as well as guideline of this Court in the case of ***Maya Tiwari Vs. State of U.P.*** reported in 2024 SCC Online All 6765 regarding grant of bail and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

7. Accordingly, the present application is **ALLOWED**.

8. Let the applicant- **Sanjeev Kumar @ Golu** involved in the aforementioned crime be released on bail, on his furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

(i) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(ii) The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.

(iii) The applicant shall not indulge in any criminal activity or

commission of any crime after being released on bail.

(iv) The applicant shall attend in accordance with the conditions of the bond executed by him.

9. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

10. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

11. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

12. Office is directed to send a copy of this order to the applicant through **concerned Jail Superintendent** via e-mail or e-prison portal within 24 hours in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021 decided on 31.01.2023** reported in (2024) 10 SCC 685.

(Jitendra Kumar Sinha,J.)

October 9, 2026
Abhishek

Digitally signed by :-
ABHISHEK AGRAHARI
High Court of Judicature at Allahabad