2026:AHC:211697

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 39809 of 2025

Sanjay

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Anil Kumar Shukla, Tribhuwan Singh
Counsel for Opposite Party(s)	:	Anurag Singh, G.A.

Court No. - 67

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Tribhuwan Singh, learned counsel for the applicant, Sri Anurag Singh, learned counsel for the first informant, Sri Chandra Shekhar Saran, learned AGA for the State-respondents and perused the record.

2. The present bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of applicant with a prayer to release him on bail in Case Crime No. 546 of 2019 under Sections 147, 323, 435, 342, 307, 302 IPC registered at Police Station Rura, District Kanpur Dehat during pendency of the trial.

3. It has been argued by learned counsel for the applicant that this is third bail application on behalf of the applicant and his earlier two bail applications have been rejected by this Court. It is further submitted that applicant has been languishing in jail since 17.12.2019 and the case is said to be at the stage of recording of statement of the accused persons under section 313 Cr.P.C, however, accused persons Dharmendra and two others approached this Court by way of filing application under section 528 BNSS and the Co-ordinate Bench vide order dated 09.4.2025 has deferred the proceedings and the case was listed for 30.4.2025, however, interim order is being extended from time to time. It is also submitted that the applicant undertakes that he will not misuse the liberty, if granted. It has also been pointed out that in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial.

4. On the other hand, learned A.G.A. as well as learned counsel for the first

informant opposed the prayer for grant of bail to the applicant and submit that case of the applicant is distinguishable from the case of other co-accused persons and he is taking advantage of the order passed by this Court in application under section 528 BNSS. It is further submitted that trial could not be completed as the same is at the stage of recording of statements of the accused persons under section 313 Cr.P.C,

5. I have heard all sides and perused the record.

6. This is third bail application on behalf of the applicant and his earlier two bail applications have been rejected by this Court. The case is said to be at the stage of recording of statements of the accused persons under section 313 Cr.P.C, however, accused persons Dharmendra and two others approached this Court by way of filing application under section 528 BNSS and the Co-ordinate Bench vide order dated 09.4.2025 has deferred the proceedings and the case was listed for 30.4.2025, however, interim order is being extended from time to time.

7. Considering the seriousness of allegations and other attending facts and circumstances of the case and without expressing any opinion on merits of the case, I am not inclined to release the applicant on bail. Accordingly, the bail application is **dismissed**.

8. Applicant is at liberty to approach this Court with a fresh bail application if the trial is not concluded within a period of six months.

(Jitendra Kumar Sinha,J.)

October 8, 2026
Madhurima

Digitally signed by :-
MADHURIMA GARG
High Court of Judicature at Allahabad