

Court No. - 70

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 48066 of 2023

Applicant :- Vinod Verma Alias Munna

Opposite Party :- State of U.P.

Counsel for Applicant :- Krishna Shukla, Ishan Deo Giri

Counsel for Opposite Party :- G.A.

Hon'ble Sameer Jain, J.

1. Heard Sri Sarvesh Pandey, Advocate, holding brief of Sri Ishan Deo Giri, learned counsel for the applicant and Sri Jhamman Lal, learned AGA for the State.

2. The instant bail application has been filed on behalf of the applicant seeking release on bail in Case Crime No. 422 of 2023 under sections 498-A, 304-B IPC and 3/4 D.P. Act, Police Station Kotwali, District Ballia.

3. FIR of the present case was lodged against the applicant and his family members and according to the FIR, marriage of the son of the applicant was performed with the daughter of the informant on 02.12.2022 and after marriage, applicant and his family members tortured her for a car and Rs.3,00,000/-. Further, it is mentioned in the FIR that son of the applicant was having illicit relationship with his *bhabhi*. It is further mentioned that on 06.8.2023, informant received an information that applicant and his family members committed murder of his daughter.

4. Learned counsel for the applicant submits, applicant is father-in-law of the deceased and on the basis of false allegations of demand of dowry and torture, he has been made accused in the present matter.

5. He further submits no specific allegation has been made against the applicant and applicant resides separately and this fact is evident from the family register of the applicant which has been annexed along with the instant bail application and it appears that some dispute arose between the husband and wife and thereafter, the wife hanged herself.

6. He further submits postmortem report of the deceased also

suggests that she died due to hanging. He further submits applicant is not having any previous criminal history and he is in jail since 08.8.2023.

7. *Per contra*, learned A.G.A. opposed the prayer for bail but he could not dispute the arguments as advanced by learned counsel for the applicant and the fact that there is no specific allegation against the applicant who is father-in-law of the deceased.

8. I have heard both sides and perused the record of the case.

9. Considering the facts that applicant is father-in-law of the deceased and deceased died due to hanging and there is no specific allegation against the applicant, I am of the view that applicant is entitled to be released on bail.

10. Accordingly, without expressing any opinion on the merits of the case, the instant application is **allowed**.

11. Let the applicant **Vinod Verma @ Munna** be released on bail in the aforesaid case on 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 appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make 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 any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

12. In case of breach of any of the above conditions, the prosecution will be at liberty to move an application before this Court for cancellation of bail of the applicant.

13. 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.

Order Date :- 8.11.2023

Madhurima