



2025:AHC:174900

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 28557 of 2025

Ashok Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Mohd Intesaf Khan, Rahul Mishra
Counsel for Opposite Party(s) : G.A.

Court No. - 65

HON'BLE SANJAY KUMAR SINGH, J.

Heard learned counsel for the applicant and learned Additional Government Advocate representing the State.

The instant bail application has been filed on behalf of the applicant with a prayer to release him on bail in Case Crime No. 206 of 2025, under Sections 80(2), 85 B.N.S. and Sections 3/4 of Dowry Prohibition Act, police station Badagaon, district Varanasi, during the pendency of trial.

It is argued by learned counsel for the applicant that as per prosecution case complainant-Parmatma, who is brother of the deceased got a first information report lodged on 18.05.2025 against Kundan Patel, Ashok (applicant), Rajkumari and Praduman, who are husband, father-in-law, mother-in-law and brother-in-law of the deceased respectively. The applicant is father-in-law of the deceased and he has been falsely implicated in this case. General allegation of demand of dowry has been levelled against all the accused persons, which is against the evidence on record. Deceased died by hanging herself. It is also pointed out that co-accused Rajkumari, who is mother-in-law of the deceased has been granted bail by the coordinate Bench of this Court vide order dated 22.08.2025 in Criminal Misc. Bail Application No. 28762 of 2025 and the case of present applicant stands on identical footing to that of co-accused Rajkumari, hence the applicant is also entitled for bail on the ground

of parity. Apart from this case the applicant has no criminal antecedent. Lastly, it is submitted by the learned counsel for the applicant that there is no chance of the applicant of fleeing away from the judicial process or tampering with the prosecution evidence. The applicant is languishing in jail since 19.05.2025 and in case, the applicant is released on bail, he will not misuse the liberty of bail and cooperate with the trial.

Per contra, learned Additional Government Advocate for the State opposed the prayer for bail of the applicant but could not dispute the above factual aspect of the matter as argued on behalf of the applicant.

Having heard learned counsel for the parties and examined the matter in its entirety, I find that co-accused Rajkumari, who is mother-in-law of the deceased under similar accusation, has been granted bail. Therefore, the applicant has made out a case for bail on the ground of parity. Hence, the bail application is hereby **allowed**.

Let the applicant-**Ashok Kumar**, be released on bail in the aforesaid case crime number on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions, which are being imposed in the interest of justice:-

- (i) That the applicant shall cooperate in the expeditious disposal of the trial and shall regularly attend the court unless inevitable.
- (ii) That 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.
- (iii) That after his release, the applicant shall not involve in any criminal activity.
- (iv) The identity, status and residential proof of sureties will be verified by court concerned.

In case of breach of any of the conditions mentioned above, court concerned will be at liberty to cancel the bail.

It is clarified that anything said in this order is limited to the purpose of determination of this bail application and will in no way be construed as an expression on the merits of the case.

(Sanjay Kumar Singh,J.)

September 26, 2025
Kashifa