



2025:AHC:174799

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 31749 of 2025

Jafaryab

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Raghav Ram, Sushama Kumari
Counsel for Opposite Party(s)	:	G.A., Mohd. Saleem

Court No. - 65

HON'BLE SANJAY KUMAR SINGH, J.

1-Heard learned counsel for the applicant, learned Additional Government Advocate representing the State and learned counsel appearing on behalf of the complainant.

2-The instant bail application has been filed on behalf of the applicant with a prayer to release him on bail in Case Crime No. 124 of 2025, under Sections 80(2), 85, 3(5) B.N.S. and Sections 3/4 Dowry Prohibition Act, Police Station-Bhojpur, District-Ghaziabad, during the pendency of trial.

3-As per the prosecution case in brief, complainant Nasroo, who is brother of the deceased got a first information report lodged on 24.05.2025 against Zubair, Jafaryab (applicant), Smt. Bilkish, Aisha and Ronak who are husband, father-in-law, mother-in-law, sister-in-law and aunt-in-law of the deceased respectively stating *inter-alia* that the marriage of his sister was solemnized on 03.11.2024 with Zubair and in the said marriage, sufficient dowry was given but her in-laws were not satisfied with the said dowry and there was a consistent demand of additional dowry of a Scorpio car and Rs. 20,00,000/-. F.I.R. further alleges that on account of non-fulfillment of additional demand of dowry, his sister was harassed in her matrimonial home and on 24.05.2025, she was done to death.

4-It is argued by learned counsel for the applicant that the applicant is father-in-law of the deceased and he has been falsely implicated in this case. The applicant is a senior citizen aged about 60 years. General and bald allegation of demand of dowry has been levelled

against all the accused persons, which is false and against the evidence on record. It is next pointed out that the information about this unfortunate incident to the police was given by Parvez Alam, who is elder son of the applicant, on which the police reached at the spot and thereafter inquest proceedings was conducted on 24.05.2025. Referring the statement of Hasrat, who is brother of the deceased, it is also pointed out that the information about the said incident was received to him from the in-laws of the deceased. It is also submitted that the allegations of the prosecution that the deceased was done to death in her matrimonial home is also false and against the evidence on record because the deceased died by hanging herself, hence, the applicant who is languishing in jail since 26.05.2025 having no criminal history is entitled to be released on bail.

5-Having heard learned counsel for the parties and examined the matter in its entirety, I find that as per the post-mortem report, cause of death of the deceased is asphyxia as a result of ante-mortem hanging and except a ligature mark, no injury was found on the body of the deceased. This Court also finds that the information about the said incident to the police as well as to the family members of the deceased was given from the side of the applicant, which shows the natural conduct of in-laws of the deceased.

6-Considering the facts and circumstances of the case as well as keeping in view the nature of the offence, evidence, complicity of the accused and submissions of the learned counsel for the parties, I am of the view that the applicant has made out a fit case for bail. Hence, the bail application is hereby **allowed**.

7-Let the applicant-Jafaryab, 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 before the release of the applicant on bail.

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

September 26, 2025
Saurabh

(Sanjay Kumar Singh,J.)