



2025:AHC:175112

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 33067 of 2025

Smt. Heeramani

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Love Lesh Kumar Verma
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Sri Lovelesh Kumar Verma, learned counsel for the applicant and Sri S.K.Rai, learned A.G.A.-1st for the State-respondents.

This is a second bail application. First bail application of the applicant has been dismissed as withdrawn, by this Court, vide order dated 12.09.2025.

The instant bail application has been filed seeking release of the applicant-Smt. Heeramani, on bail in Case Crime No. 126 of 2025, under Sections 191 (2), 117 (2), 333, 115 (2), 352, 105 of B.N.S., Police Station Naraini, District-Banda, during pendency of the trial.

Learned counsel for the applicant submits that the accused applicant is innocent. She has been falsely implicated in the present case and is languishing in jail since 29.01.2025. Learned counsel for the applicant submits that the First Information report has been lodged on 04.05.2025, against the eight named persons, including the applicant, with the allegation that on the date of incident, due to some dispute all the accused persons forcibly entered into the house of the first informant and started beating the first informant namely Smt. Saroj and her father in law namely Jagdeo by Lathi Danda. Later on the father in law of the first informant succumbed on account of Septicemia. Learned counsel for the applicant submits that general allegation has been levelled against all the accused persons including the applicant. No specific role has been assigned to the applicant. He further submits that in the post mortem report the cause of death of the deceased has been shown as Septic shock due to Septicemia. There is contradiction in the statement of the witnesses. Learned counsel for the applicant further submits the applicant has no criminal antecedent and there is no likelihood of her fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has been prayed for.

Per contra, learned AGA has opposed the prayer for bail but could not

dispute the argument on facts advanced by learned counsel for the applicant.

Considering all above facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness, period of incarceration as well as mandate of the 1st Proviso of Section 480 (1) B.N.S.S. and prima facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is allowed.

Let the accused-applicant, **Smt. Heeramani**, involved in above mentioned case crime number be released on bail, on her executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless her personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel her bail.

(Ashutosh Srivastava,J.)

September 26, 2025

Deepak/