



2025:AHC:174724

**HIGH COURT OF JUDICATURE AT ALLAHABAD  
CRIMINAL MISC. BAIL APPLICATION No. - 33558 of 2025**

Ramdas

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Nishad Ramjanki, Paras Nath Bind,  
Sabhajeet, Upasana Rajpoot  
Counsel for Opposite Party(s) : G.A.

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**Court No. - 65**

**HON'BLE SANJAY KUMAR SINGH, J.**

Mr. Jitendra Singh, learned Advocate, has put in appearance and filed his power on behalf of the complainant, which is taken on record.

Heard Mr. Sabhajeet Nishad and Ms. Upasana Rajpoot, learned counsel for the applicant, learned Additional Government Advocate representing the State and Mr. Tej Pratap Singh, learned counsel, holding brief of Mr. Jitendra Singh, learned counsel for the complainant.

By means of this bail application, applicant Ramdas, who is involved in Case Crime No. 0158 of 2025, under Sections 85, 80(2) BNS and Section 3/4 Dowry Prohibition Act, police station Ghazipur, district Fatehpur, seeks enlargement on bail during the pendency of trial.

As per prosecution case, in brief, complainant, who is brother of the deceased Pooja Devi, got an F.I.R. lodged on 19.07.2025 against Krishna Kumar Paswan, Leelawati Devi, Ramdas Paswan (applicant), Amit and Rekha Devi, who are husband, mother-in-law, father-in-law, brother-in-law and sister-in-law of the deceased, respectively, stating inter alia that marriage of his sister Pooja Devi was solemnized on 28.11.2024 with Krishna Kumar but after marriage, her in-laws started demanding dowry and harassing his sister. On account of her harassment, his sister has committed suicide on 18.07.2025 at about 09:00 P.M.

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. General allegation of demand of dowry has been attributed

to all the accused persons, which is false and against the evidence on record, and it has not been specified that what was the demand in dowry from the side of the applicant. During investigation, co-accused Amit and Rekha Devi, who are brother-in-law and sister-in-law of the deceased have been exonerated as their complicity was found false. It is also submitted that mediator of the marriage had given information to the complainant about the unfortunate incident of committing suicide by the deceased. Much emphasis has been given by contending that no specific role has been attributed to the applicant. The applicant does not have any criminal history to his credit. Lastly, it is submitted that there is no chance of the applicant fleeing away from the judicial process or tampering with the prosecution evidence. The applicant is languishing in jail since 21.07.2025 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 A.G.A. for the State and learned counsel for the complainant opposed the prayer for bail of the applicant reiterating the prosecution case as mentioned in the F.I.R. 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 as per the post mortem report, cause of death of the deceased is asphyxia as a result of ante mortem hanging and except the ligature mark around the neck, no other injury has been found on the body of the deceased.

Here it is also relevant to mention that the parameters for considering the bail of accused pending trial and conviction or acquittal of accused after adducing evidences by both the parties before the trial Court are different.

This Court is of the view that each case turns on its own facts and circumstances. Even a little difference between the facts of two cases, may alter the entire aspect.

In view of the provisions under Section 117 of Bhartiya Sakshya Adhiniyam, 2023, it is not that the Courts will shut eyes and act as a silent spectator in all the cases while considering bail applications, the Courts are duty bound to consider broader aspect of the matter and in the light of nature of allegations, the relevant materials of the

case diary either produced by the complainant's side or by the accused's side to prove his/her innocence cannot be ignored because bail matters are also related to the valuable liberty of the accused.

The further details relating to the incident need not be referred to herein since the allegations and the defence thereto is still open to be urged by the parties in the trial Court.

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, this Court is of the opinion that the applicant has made out a case for bail. Hence, the bail application is hereby **allowed**.

Let the applicant **Ramdas** 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.

**(Sanjay Kumar Singh,J.)**

**September 26, 2025**  
Shubham