



2025:JHC-1 K03:21996

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 12753 of 2025

Sandeep @ Bholu

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ram Kishor, Karuna Kant Gupta
Counsel for Opposite Party(s)	:	G.A.

Court No. - 16

HON'BLE BRIJ RAJ SINGH, J.

1. Supplementary affidavit has been filed by learned counsel for the applicant, which is taken on record.
2. Heard learned counsel for the applicant as also the learned A.G.A. for the State and perused the record.
3. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 245 of 2025, Under Section-108 BNS/306 I.P.C., 351(3) B.N.S./506 I.P.C, Police Station- Mishrikh, District-Sitapur.
4. Learned counsel for the applicant has submitted that there is allegation in the F.I.R. lodged by the complainant that her husband was beaten by the applicant and other co-accused, due to which he received injuries and there was bleeding also. Learned counsel for the applicant has further invited attention of the court towards the postmortem report, which indicates that there is no injury, internal or external, on the dead-body. It is further submitted that cause of death is 'Asphyxia due to hanging'. It is also submitted that the doctor has also given statement under Section 161 Cr.P.C. that the deceased died due to hanging and there was no other injury found on the person of the deceased. It is further submitted that the deceased committed suicide by hanging himself. There is also no evidence that the applicant was involved in commission of crime or he abetted the deceased in any manner to commit suicide. It is further submitted that there should be active role on the part of the accused in respect of abetment to suicide, but in the present case there is no such indication after going through the F.I.R. as well as postmortem report. The applicant has no criminal history and he is languishing in jail since 08.10.2025.
5. The learned A.G.A. has opposed the prayer for bail and has submitted that after going through the F.I.R., there is allegation that the applicant had beaten the deceased that is why he committed suicide.

6. Considering the overall facts and circumstances of the case, particularly the facts that doctor has given statement under Section 161 Cr.P.C. that the deceased died due to hanging and there was no other injury found on the person of the deceased, the applicant has no criminal history and he is languishing in jail since 08.10.2025, without making any observation, which may affect the merits of the case, I am of the view that the applicant is entitled to be released on bail in the aforesaid crime.

7. Accordingly, this bail application stands **allowed**.

8. Let the applicant- **Sandeep alias Bholu** 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 magistrate/court concerned, subject to following conditions:-

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court, unless his appearance is exempted by the learned trial court.

(Brij Raj Singh,J.)

December 17, 2025

A.Nigam