



2026:AHC:211649

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 1629 of 2026

Smt Anusuiya

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Along with :

1. Criminal Misc. Bail Application No. 23200 of 2025:

Smt Rajesh Alias Dhakeli

Versus

State of U.P.

2. Criminal Misc. Bail Application No. 1571 of 2026:

Baldev @ Balvendra @ Rinku

Versus

State of U.P.

Counsel for Applicant(s)	:	Himanshu Mishra, Raghubir Singh, Ruhi Yadav, Satendra Singh, Vaibhav Kumar
Counsel for Opposite Party(s)	:	Ravi Kant, G.A., Ravi Kant

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. In pursuance of the order dated 25.09.2026, Sri Devesh Singh, ACP, Agra Commissionerate and Ms Sukanya Sharma, DSP, Baghpat are present and admitted their fault of not mentioning in the site plan about the house of the present applicants as well as statements of the villagers regarding their separate living. They also submitted that the family of the applicant-Baldev @ Balvendra @ Rinku is very influential, therefore, no one from their village came forward to record their statement, for that reason, they could not record the statement regarding the cause of death as well as about other fact, though this Court is satisfied with the aforesaid explanation but expects in future that they will remain more careful while conducting investigation specially in the cases of dowry death.

2. Heard Sri Himanshu Mishra along with Ms Ruhi Yadav and Sri Satendra Singh, learned counsel for the applicants, Sri Ravi Kant, learned counsel for the first informant and Sri Rakesh Kumar Mishra, learned A.G.A. for the State and perused the record.

3. All three bail applications are connected and bail relates to same

case crime number, therefore they are being disposed of by a common judgement.

4. The instant bail application has been filed with a prayer to release the applicants on bail in Case Crime No. 45 of 2025, under Sections 85, 80(2), 238 and Section 3/4 Dowry Prohibition Act, Police Station-Kagraul, District-Agra, during the pendency of the trial.

5. Contention of learned counsel for the applicants is that applicant-Smt Anusuiya is sister-in-law (jethani), applicant-Baldev @ Balvendra @ Rinku is the brother-in-law (jeth) and Smt Rajesh alias Dhakeli is mother-in-law of the deceased and all of them are living separately. This fact is clear from the site plan that Pawan and Rinku, were having separate house from the house of the husband of the deceased. Similarly, from the dependent identity card annexed at page no.71 of the bail application no.23200 of 2025, it is clear that the mother-in-law of the deceased was residing with her son, Pawan, who has separate house. Therefore, all the applicants have been falsely implicated and it was a dispute between husband and wife and after brief quarrel between husband and wife, the deceased committed suicide, as the applicant has been falsely implicated on the basis of general and vague allegation without making any specific allegation. It is further submitted that the applicants-Smt Anusuiya and Smt Rajesh alias Dhakeli, have no criminal history and applicant-Baldev @ Balvendra @ Rinku, has explained criminal history of one case in the accompanying affidavit. It is further submitted that charge sheet has been filed in the present case, therefore, there is no requirement of custodial interrogation. The applicant-Smt Anusuiya is languishing in jail since 03.11.2025, applicant-Baldev @ Balvendra @ Rinku is languishing in jail since 01.10.2025 and applicant-Smt Rajesh alias Dhakeli is languishing in jail since 27.05.2025. In case, they are granted bail, they will not misuse the liberty of bail and would cooperate in the trial proceedings.

6. Per contra, learned counsel for the first informant and learned A.G.A. have vehemently opposed the prayer for bail but could not dispute the aforesaid facts.

7. Considering the aforesaid submission and taking into account the site plan as well as dependent identity card issued by Pawan Kumar, who is the real brother of the husband of the deceased and living separately and keeping in view the nature of offence, evidence,

complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of **Kapil Wadhawan vs Central Bureau of Investigation** reported in **2025 SCC OnLine SC 3038** as well as guideline of this Court in the case of **Maya Tiwari Vs. State of U.P.** reported in **2024 SCC Online All 6765** regarding grant of bail and without expressing any opinion on the merits of the case, I am of the opinion that the applicants are entitled to be enlarged on bail. Accordingly, the present application is **allowed**.

8. Let the applicants- **Smt Anusuiya, Smt Rajesh alias Dhakeli and Baldev @ Balvendra @ Rinku**, involved in the aforementioned crime be released on bail, on their furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

- i. The applicants 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.
- ii. The applicants shall cooperate in the trial/investigation sincerely without seeking any adjournment.
- iii. The applicants shall not indulge in any criminal activity or commission of any crime after being released on bail.
- iv. The applicants shall attend in accordance with the conditions of the bond executed by him.

9. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

10. Identity, status and residence proof of the applicants and sureties be verified by the court concerned before the bonds are accepted.

11. Verification of mobile number and Aadhaar card of the applicants as well as sureties should be verified by the court concerned.

12. It is made clear that the applicants shall be released on the basis of computer generated copy of this order, downloaded from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within

15 days.

13. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicants.

14. Office is directed to send a copy of this order to the applicants through **concerned Jail Superintendent** via e-mail or on e-prison portal and Trial Court via e-mode within 24 hours in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021** decided on **31.01.2023** reported in **(2024) 10 SCC 685** as well as **Pila Pahan @ Peela Pahan and others Vs. State of Jharkhand and another**, in **Writ Petition (Criminal) No. 169 of 2025**, decided on **29.05.2026**.

October 8, 2026
S.C.

(Arun Kumar Singh Deshwal,J.)