



2026:AHC:95582

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 10526 of 2025

Rajat

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Abhilasha Tiwari, Awaish Khan, Sadrul
Islam Jafri
Counsel for Opposite Party(s) : Rakesh Kuamr Yadav, G.A.

Court No. - 67

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri N.I. Jafri, learned Senior Counsel assisted by Sri S.I. Jafri, learned counsel for the applicant, Sri Rakesh Kumar Yadav, learned counsel for the informant and Sri Rakesh Kumar Verma, learned A.G.A. for the State and perused the record.
2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No.124 of 2024, under Sections- 103(1), 115(2), 351(2), 352, 333, 140(3) BNS, Police Station- Rehar, District- Bijnor, during the pendency of the trial.
3. Contention of learned counsel for the applicant is that, as per the prosecution story deceased was sister in law of the applicant and there was matrimonial dispute between the applicant's sister and her husband and on the date of incident, the applicant's sister called upon her father as well as applicant and thereafter, applicant as well as his father along with 3-4 persons came to the house of her sister and after brief scuffling, applicant along with other co-accused persons had forcibly abducted the brother of the deceased and when the deceased tried to stop them, then the present applicant, who was driving a Swift car hit the deceased by the car and, thereafter, suddenly, applied break due to which deceased fall down then the applicant again ran over the car upon the deceased due to which, she suffered serious injuries and she was admitted in the hospital. A hematoma was found in his brain because of that accident and subsequently, deceased succumbed to injuries. It is further submitted that

it was a case of accident and when the applicant tried to drive away in the car along with his sister and brother in law then the deceased suddenly, came in front of his vehicle and suffered injuries due to accident, therefore, there was no motive on the part of the applicant to murder the deceased. It is further submitted that charge sheet has been filed in the present case, therefore, there is no requirement of custodial interrogation. The applicant is a law abiding citizen and he is languishing in jail since 14.11.2024. It is further submitted that till date PW-1 has been recorded during the trial and in case, applicant is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Per contra, learned A.G.A. has vehemently opposed the prayer for bail and submitted that deceased before her death recorded her statement under Section 180 BNSS and clearly stated that it is not the once but twice the applicant ran over the car over her, which resulted into serious injuries to the deceased, who subsequently died despite treatment in the hospital. Therefore, applicant is not entitled to be released on bail.

5. Considering the aforesaid submission and taking into account that the nature of allegation and statement of deceased before her death making specific allegation of repeated ran the vehicle over her, this court is not inclined to release the applicant on bail.

6. Therefore, the bail application of the applicant is **rejected**.

(Arun Kumar Singh Deshwal,J.)

April 27, 2026
S.A.