



2026:AHC:56147

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 8940 of 2026

Rajjo

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Abhishek Srivastava, Ajay Nand
Pandey

Counsel for Opposite Party(s) : G.A.

Court No. - 66

(Sr. No.1 out of 116)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Ajay Nand Pandey, learned counsel for applicant, Sri Sanjeev Singh, learned Additional Advocate General assisted by Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. This is the second bail application on behalf of the applicant. The first one was rejected by a common order of this Court dated 04.07.2025, passed in Criminal Misc. Bail Application No.15122 of 2024.
4. The present bail application has been filed by the applicant in Case Crime No.257 of 2023, under Sections 498A, 304B, 323 I.P.C. and Section 3/4 D.P. Act, Police Station Jhinhana, District Shamli with the prayer to enlarge her on bail.
5. Learned counsel for the applicant has stated that the allegations of setting the deceased afire are against the elder sister-in-law of the deceased, while the other persons were only present at the said place. The prosecution witnesses have not supported the prosecution story; as such, the applicant is entitled to bail, as she is the mother-in-law of the deceased. The co-accused, Deepak, brother-in-law of the deceased, has been enlarged on bail by a coordinate Bench of this Court vide order dated 24.02.2026, passed in Criminal Misc. Bail Application No. 93 of 2026; as such, the applicant is also entitled to be enlarged on bail on the ground of parity. The applicant is

in jail since 25.09.2025 and is ready to cooperate with the trial. In case she is released on bail, she will not misuse the liberty of bail.

6. Per contra, learned A.G.A. has vehemently opposed the bail application on the ground that there is a dying declaration of the deceased in which there are allegations that her husband, mother-in-law (applicant), father-in-law, brother-in-law, along with three sisters-in-law, had set her afire, as such, the applicant is not entitled to bail.

7. After hearing learned counsel for the parties and taking into consideration that the applicant was very much named in the FIR and was also found present in the dying declaration of the deceased coupled with the fact that the deceased died due to the said injuries, I do not find it a fit case for grant of bail to the applicant. The bail application is found devoid of merits and is, accordingly, **rejected**.

8. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously as early as possible in view of the principle as has been laid down in the recent judgments of the Supreme Court in the cases of ***Vinod Kumar vs. State of Punjab; 2015 (3) SCC 220*** and ***Hussain and Another vs. Union of India; (2017) 5 SCC 702***, if there is no legal impediment.

9. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Krishan Pahal,J.)

March 19, 2026
(Ravi Kant)