



2026:AHC:56564

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 16111 of 2025

Awadhesh Ahirwar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Arvind Srivastava, Mohd. Naushad
Siddiqui, Rajeev Kumar

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

Court No. - 66

(Sl. No. 41 out of 116)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Naushad Siddiqui, learned counsel for the applicant, Sri V.K.S. Parmar, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 89 of 2024, under Sections 498-A, 323, 504, 302/34 IPC and 3/4 D.P. Act, Police Station Lahchura, District Jhansi, during the pendency of trial
4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The cause of death could not be ascertained as per the post-mortem report. The informant has been examined as PW-1 and his mother as PW-3 and both have not supported the prosecution story. There is no likelihood of the conviction of the applicant in the instant case, as such, he is entitled for bail.
5. There is no criminal history of the applicant. The applicant is languishing in jail since 17.5.2024, as such, period of incarceration is about one year and ten months. In case, the applicant is released on bail, he will not misuse the liberty of bail.
6. Learned A.G.A. has vehemently opposed the bail application.

7. This Court had called for the status of trial. The status report dated 13.1.2026 indicates that only three witnesses have been examined to date.

8. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the statements of PW-1 and PW-3 and also the fact that the trial is moving at a snail's pace and applicant being incarcerated for about one year and ten months, without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

9. Let the applicant- **Awadhesh Ahirwar**, who is involved in aforementioned case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

- (i) The applicant shall not tamper with evidence during trial.
- (ii) The applicant shall not pressurise/intimidate with the prosecution witnesses.
- (iii) The applicant shall appear before the trial court on the date fixed.

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

11. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

March 19, 2026

Shalini