2026:AHC-LKO:40589

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. BAIL APPLICATION No. - 4182 of 2026

Virendra Pandey

.....Applicant(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Home Lko.

.....Opposite Party(s)

Counsel for Applicant(s) : Aditya Mishra, Rajendra Prasad Mishra
Counsel for Opposite Party(s) : G.A.

Court No. - 11

HON'BLE RAJEEV SINGH, J.

1. Heard Sri Aditya Mishra learned counsel for the applicant, learned A.G.A for the State of U.P. and perused the record.

2. The instant bail application has been filed on behalf of the applicant with a prayer to enlarge him on bail in Case Crime No.06 of 2026 under Section 85, 80(2) BNS (498A/304B IPC) & 3/4 D.P. Act, Police Station-Kotwali Mankapur, District-Gonda.

3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the present case. He further submitted that the marriage of the son of the applicant was solemnized with the daughter of the informant and due to some trivial issue between the husband and wife, the incident took place and information was also given to the informant and other family members. It is further submitted that the medical facilities was also provided by the applicant to his daughter in law but she could not be saved and due to annoyance, FIR was lodged. It is further submitted that co-accused Rekha Pandey alias Gudiya who is mother in law of the deceased has already been enlarged on bail vide order dated 01.06.2026 passed by a coordinate Bench of this Court in Criminal Misc. Bail Application No.2865 of 2026 and the applicant is in jail since 06.01.2026. Charge sheet has been filed. The applicant has no criminal history and there is no possibility of tampering witnesses. In these circumstances, the applicant is entitled for

bail. In case of being enlarged on bail, he will not misuse the liberty of bail.

4. Learned A.G.A. opposes the prayer for grant of bail to the applicant and submits that after collecting sufficient evidences, charge sheet was submitted by the Investigating Officer and he does not dispute the fact that the charge sheet has been filed.

5. Considering the rival submissions of learned counsel for the applicant, learned A.G.A. and going through the contents of FIR as well as other relevant documents, including the fact that the applicant is father in law of the deceased and charge sheet has already been filed, general allegations have been levelled against the accused. I am of the view that the applicant is entitled to be released on bail.

6. The bail application is ***allowed***.

7. Let the applicant-**Virendra Pandey** who is involved in aforementioned case crime be released on bail on his furnishing a personal bond and two sureties each to the satisfaction of the court concerned, subject to following conditions:

(i) The applicant shall not commit or participate in any offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(ii) The applicant 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.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the Trial Court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(iv) The applicant shall remain present before the Trial Court on each date fixed, either personally or through his counsel. In case of his absence,

without sufficient cause, the Trial Court may proceed against him under Section 229-A I.P.C./269 B.N.S.

(v) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C./84 B.N.S.S. may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the Trial Court shall initiate proceedings against him, in accordance with law, under Section 174-A I.P.C./209 B.N.S.

(vi) The applicant shall remain present, in person, before the Trial Court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C./351 B.N.S.S. If in the opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

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

(Rajeev Singh,J.)

June 9, 2026
Harshita

Digitally signed by :-
HARSHITA
High Court of Judicature at Allahabad,
Lucknow Bench