2026:AHC:207843

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 26953 of 2026

Smt Veervati

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Kamal Singh Yadav, Naveen Kumar Yadav
Counsel for Opposite Party(s)	:	Adarsh Ojha, Ashwini Kumar Ojha, Ashutosh Singh, G.A., Vikrant Bhati

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Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Counter affidavit filed by the informant and rejoinder affidavit filed by the applicant are taken on record.

2. Heard Sri Kamal Singh Yadav, learned counsel for the applicant, Sri Ashutosh Singh, learned counsel for the informant and Sri Ashutosh Singh, learned AGA for the State.

3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.243 of 2026, under Sections 103(1), 115(2), 352, 351(3), 3(5), 61(2) BNS, Police Station Surajpur, District Gautam Gautam Budh Nagar, during pendency of the trial.

4. Learned counsel for the applicant submits, however applicant is named in the FIR but role of causing firearm injury has not been assigned to her and according to the prosecution, co-accused Mangesh @ Tillu by causing firearm injury committed murder of the deceased.

5. He next submits, however as per FIR and statements of witnesses, applicant alongwith others caught hold the deceased but this allegation is totally false. He next submits, as it is a case of firearm injury therefore there was no occasion for the applicant to caught hold the deceased. He further submits, even applicant is 70 years old lady therefore there was no occasion for her to participate in the alleged crime.

6. He further argued, during investigation I.O. procured one CCTV footage but even from its perusal it could not reflected that applicant participated in the alleged incident in any manner.

7. He further argued, applicant is lady and she is not having any criminal history and in the present matter she is in jail since 07.05.2026 i.e. for last five months.

8. Per contra, learned AGA as well as learned counsel for the informant opposed the prayer for bail and submit, apart from the present case applicant is having criminal history of one another case but they could not dispute the other argument on facts advanced by learned counsel for the applicant. They further could not dispute the fact that the previous case relates to minor offence.

9. I have heard learned counsel for the parties and perused the record of the case.

10. However, applicant is named in the FIR alongwith three others but role of causing firearm injury to deceased has been assigned to co-accused Mangesh @ Tillu.

11. Further, however as per prosecution, applicant alongwith others caught hold the deceased thereafter co-accused Mangesh opened fire but as it is a case of firearm injury therefore role of catching hold assigned to the applicant prima facie appears to be doubtful.

12. Further, even applicant is 70 years old lady and considering this fact prima facie her implication appears to be doubtful.

13. Further, however from the CCTV footage it reflects, applicant was also present at spot but from the CCTV footage it could not be reflected that applicant also participated in the instant crime.

14. Further, however apart from the present case applicant is having criminal history of one another case and her criminal history has not been explained and that case relates to minor offence. Considering the fact that she is 70 years old lady and her previous criminal history of minor nature, in view of this Court, merely on this ground it is not proper to withhold

the instant bail application.

15. Further, in the present matter applicant is in jail since 07.05.2026 i.e. for last five months.

16. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

17. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is allowed.

18. Let the applicant - **Smt Veervati** be released on bail in the aforesaid case on 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 applicant shall appear before the trial court on the dates fixed, unless her personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make 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 any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

19. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

20. 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.

(Sameer Jain,J.)

October 5, 2026
Shahroz

Digitally signed by :-
SHAHROJ ALAM
High Court of Judicature at Allahabad