2026:AHC:207246

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35307 of 2026

Sandhya Devi

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Shatrughan Yadav, Vinay Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Shatrughan Yadav, learned counsel for the applicant and Sri Manoj Kumar Singh, learned Brief Holder for the State.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 200 of 2022, under Sections 302, 201 IPC, Police Station Tarakulawa, District Deoria during pendency of the trial.

3. Learned counsel for the applicant submits, however, it is a case of double murder and as per allegation applicant was the mother of both the deceased, who were 6 and 9 years old girls and she due to poverty committed their murder but entire allegations leveled against applicant are totally false.

4. He further submits, except the statement of one Shambhu Lal Srivastava, who tired to give evidence of last seen there is no cogent evidence against the applicant on record which can connect her with the instant crime.

5. He further submits, even post mortem report suggests, both the deceased died due to drowning, therefore, even possibility of accidental death of both the deceased cannot be ruled out at this stage. He further submits, being mother of both the deceased applicant could not even think to commit their murder. He further submits, motive disclosed by the prosecution prima facie appears to be doubtful and it even appears to be weak.

6. He further submits, applicant is a lady and she is not having any criminal history and in the present matter she is in jail since 25.07.2022 i.e. for last more than four years.

7. Per contra, learned AGA opposed the prayer for bail and submits, it is a case of double murder but could not dispute the other argument on facts advanced by learned counsel for the applicant including the fact that applicant is a lady and she is not having any criminal history and in the present matter she is in jail since 25.07.2022 i.e. for last more than four years.

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

9. However, it is a case of double murder and as per allegation applicant due to poverty committed the murder of her both the daughters aged about 6 and 9 years old but it reflects, except the evidence of last seen allegedly given by witness Shambhu Lal Srivastava there is no other cogent evidence against the applicant on record. Further, even statement of Shambhu Lal Srivastava recorded by Investigating Officer prima facie appears to be doubtful.

10. Further, however, it is a case of circumstantial evidence but motive disclosed by the prosecution prima facie appears to be weak.

11. Further considering the fact that as per post mortem reports both the deceased died due to drowning, this Court finds merit in the argument advanced by learned consel for applicant that possibility of accidental death cannot be ruled out specially considering the age of both the victims.

12. Further, applicant is a lady and she is not having any criminal history and in the present matter she is in jail since 25.07.2022 i.e. for last more than four years.

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

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

15. Let the applicant - Sandhya Devi 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.

16. 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.

17. 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.

October 5, 2026
AK Pandey

(Sameer Jain,J.)

Digitally signed by :-
ANUPAM KUMAR PANDEY
High Court of Judicature at Allahabad