2026:AHC:209427

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35740 of 2026

Anuj

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Radhey Shyam Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Radhey Shyam Yadav, learned counsel for the applicant and Sri Imran Khan, learned AGA for the State.

2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 176 of 2025, under Sections 85, 80(2) BNS and Section 3/4 D.P. Act, Police Station Amritpur, District Farrukhabad during pendency of the trial.

3. Learned counsel for the applicant submits, however, this is second bail application filed on behalf of applicant and his first bail application has been dismissed on 14.05.2026 after considering the fact that applicant is husband of the deceased and his wife died within seven years of marriage and there is also allegation of torture for demand of dowry but after rejection of first bail application when parents of the deceased appeared before the trial court then they did not support the prosecution case and they have been declared hostile and their statements recorded before the trial court have been annexed along with instant bail application.

4. He further submits, applicant is not having any criminal history and in the present matter he is in jail since 09.11.2025.

5. Per contra, learned AGA opposed the prayer for bail and submits, this is second bail application filed on behalf of applicant and he is husband of the deceased but could not dispute the fact that deceased died due to hanging and during trial parents of the deceased did not support the prosecution case and they have been declared hostile. He also could not dispute the fact that

applicant is not having any criminal history.

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

7. However, this is second bail application filed on behalf of applicant and his first bail application has been dismissed by this Court after considering the fact that he is husband of the deceased and his wife died within seven years of her marriage under abnormal circumstances and there is also allegation of torture for demand of dowry but it reflects, after rejection of first bail application of the applicant when parents of the deceased appeared before the trial court then they did not support the prosecution case and they have been declared hostile.

8. Further, even post mortem report suggests that deceased died due to hanging, therefore, prima facie it appears to be a case of suicidal death.

9. Further, applicant is not having any criminal history and in the present matter he is in jail since 09.11.2025 i.e. for last eleven months.

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

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

12. Let the applicant - Anuj 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 his 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.

13. 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.

14. 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 7, 2026
AK Pandey

(Sameer Jain,J.)

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