HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37578 of 2026

Manoj @ Monu

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Abhishek Narayan
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Sri Hanuman Prasad Srivastava, learned Advocate, submits that yesterday he has filed his power on behalf of the informant in the office of this Court and, therefore, his name could not be shown in the cause list.

2. Heard Sri Abhishek Narayan, learned counsel for the applicant and Sri Imran Khan, learned AGA, for the State and Sri H.P.Srivastava, learned counsel for informant

3. The instant bail application has been filed on behalf of the applicant with the prayer to release him on bail in Case Crime No.494 of 2025, under Sections 85, 80(2) and 351(3) BNS and Section 4 Dowry Prohibition Act, Police Station Talbehat, District Lalitpur during pendency of the trial.

4. Learned counsel for the applicant submits that however, this is the second bail application filed on behalf of the applicant and his first bail application has been dismissed by this Court vide order dated 25.5.2026 passed in Criminal Misc.Bail Application No. 13747 of 2026 considering the fact that applicant is husband of the deceased and his wife died in her matrimonial home under abnormal circumstances within seven years of her marriage and there was also allegation of torture for demand of dowry but in the instant matter applicant is in jail since 11.11.2025, i.e., for almost a year and post mortem report suggests that deceased died due to hanging and, therefore, prima facie it appears to be a case of suicidal death.

5. He further argued that actually deceased was not satisfied with her marriage with the applicant and, therefore, her relationship with her family members were also not cordial and this fact is evident from the statement of PW-1, i.e., informant of the case, recorded before the trial court, which has been annexed along with the instant bail application and it appears only due to this reason she committed suicide.

6. He further submits that even from the statement of PW-1 it reflects that he did not even himself wrote the tehrir of the case and from the statement of this witness prima facie applicant appears to be innocent.

7. He further argued that applicant is not having any previous criminal history.

8. He further submits that therefore, considering the facts of the case, applicant may be enlarged on bail.

9. Per contra, learned AGA as well as learned counsel for the informant opposed the prayer for bail and submit that this is the second bail application filed on behalf of the applicant and applicant is husband of the deceased but could not dispute the fact that post mortem report suggests that deceased died due to hanging and applicant is in jail for almost a year.

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

11. However, this is second bail application filed on behalf of the informant and his first bail application has been dismissed by this Court after considering the merits of the case and record also suggests that applicant is husband of the deceased but applicant is in jail since 11.11.2025, i.e., for almost a year and post mortem report suggests that deceased died due to hanging and, therefore, prima facie it appears to be a case of suicidal death.

12. Further, even considering the statements of PW-1, the informant of the case, recorded before the trial court, the argument advanced by the learned counsel for the applicant also cannot be completely ruled out at this stage.

13. Further, applicant is not having any previous criminal history.

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

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

16. Let the applicant-**Manoj @ Monu** 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.

17. 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.

18. 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 24, 2026
SKM

Digitally signed by :-
SHRAVANA KUMAR MISHRA
High Court of Judicature at Allahabad