HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37775 of 2026

Vedwati

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	R.P.S. Chauhan
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Sri S. Lal, Sri Ashutosh Yadav and Sri Abhilasha Singh, Advocates have filed Vakalatnama on behalf of the informant. The same is taken on record.

2. Copy of the post-mortem report produced by Sri Neeraj Kumar Sharma, learned A.G.A. for the State is also taken on record.

3. Heard learned counsel for the applicant, learned AGA for the State and Sri Ashutosh Yadav, learned counsel for the informant. Perused the material available on record.

4. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 182 of 2026, under Sections 105, 190, 191(2), 3(5), 115(2), 333 of B.N.S., Police Station- Islamnagar, District-Budaun, during the pendency of the trial.

5. Counsel for the applicant submits that the applicant has been falsely implicated in the present case. As per the allegations contained in the first information report, the applicant along with four accused is alleged to have assaulted Naresh Pal (informant), Kunwar Pal, Gaurav and Atar Singh. Kunwar Pal succumbed to his injuries. As per the post-mortem report, the deceased sustained six ante-mortem injuries, namely, (*1). Abraded contusion in an area of size 5cm x 8cm present on right upper arm; (2). Abraded contusion in an area of size 10cm x 5cm present on back of chest lower border; (3). Abrasion of size 1cm x 1cm present on left knee; (4). Fracture of left forearm; (5) Lacerated wound of size 3cm x 1.5 cm present on right side of skull 10cm behind right ear; (6) Haematoma of size 14cm x 12cm present on mid of skull*. In the opinion of the doctor, the cause of death is *shock and haemorrhage due to antemortem head injury*. It is contended that injury

nos.5 and 6 are fatal injuries. The applicant is a lady. Vague and general allegations have been levelled. The applicant has not been nominated as the principal offender who caused injuries on the head of the deceased. Further, at this stage there is no credible evidence to establish that the applicant had the requisite knowledge or intention to cause the death. Investigation has been completed and the charge sheet has been filed. No custodial interrogation of the applicant is required. The applicant is in jail since 14.5.2026 having no criminal antecedents and in case, she is enlarged on bail, she will not misuse the said liberty.

6. Learned AGA and counsel for the informant have opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

7. Having heard counsel for the parties and having perused the record this Court prima facie finds that vague and general allegations have been levelled against the applicant. The applicant has not been nominated as the principal offender who caused injuries on the head of the deceased. At this stage there is no credible evidence to establish that the applicant had the requisite knowledge or intention to cause the death. Further, the applicant is a lady and has no criminal antecedents. She has remained confined for more than five months and after submission of charge sheet there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or delay the trial or intimidate the witness, without commenting on merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

8. Let the applicant **Vedwati**, involved in the aforesaid case crime be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that she:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence;

(iii) shall not pressurize the prosecution witnesses.

9. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

October 24, 2026

Manish Kr

(Vivek Varma,J.)

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