2026:AHC:227298

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38935 of 2026

Rajeev Sahu

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Bharat Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Sri Yogesh Mishra, Advocate has filed his Vakalatnama on behalf of the informant, the same is taken on record.

2. Heard learned counsel for the applicant and Sri Yogesh Mishra, learned counsel for the informant and Sri N. K. Sharma, learned AGA for the State-opposite party. Perused the material available on record.

3. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No.341 of 2026, under Sections 85, 80(2) B.N.S. and Section 3/4 D. P. Act, Police Station- Ujhani, District- Budaun, during the pendency of the trial.

4. Counsel for the applicant contends that the applicant is the father-in-law of the deceased and has been falsely implicated in the present case. As per the post mortem report, the cause of death is asphyxia due to antemortem hanging. The first information report has been lodged against four persons including the applicant. Vague and general allegations have been levelled against the applicant. Co-accused Vishal Sahu, who is the husband of the deceased, is already languishing in jail. It is contended that the applicant neither demanded any dowry from the family members of the deceased nor subjected her to any cruelty in connection with any such demand.. The applicant is in jail since 17.09.2026 having no criminal history and in case he is enlarged on bail, he will not misuse the said liberty.

5. Learned counsel for the informant and learned A.G.A. for the State have opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

6. Having heard counsel for the parties and having perused the record, this Court prima facie finds that as per the post mortem report, the cause of death is asphyxia due to antemortem hanging. Vague and general allegations have been levelled against the applicant. Moreover, the applicant has no criminal history and has remained confined for more than a month and 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 the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

7. Let the applicant **Rajeev Sahu**, involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that he:

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

(ii) shall not tamper with the prosecution evidence; and,

(iii) shall not pressurize the prosecution witnesses.

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

November 2, 2026
Abhishek

(Vivek Varma, J.)

Digitally signed by :-
ABHISHEK SINGH
High Court of Judicature at Allahabad