2026:AHC:227689

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 38926 of 2026

Smt. Sharda

.....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. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant, Sri V.P. Tripathi, learned A.G.A. for the State-opposite party, and Sri Ramapati Tripathi, learned counsel for the informant.

2. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 141 of 2026, under Sections 85, 80(2) B.N.S. and 3/4 D.P. Act, Police Station Raksa, District Jhansi during the pendency of the trial.

3. Learned counsel for the applicant submits that the applicant is the mother-in-law of the deceased and has been falsely implicated in the present case. As per the postmortem report, the cause of death is asphyxia due to ante mortem hanging. The first information report has been lodged against six accused including the applicant, wherein vague and general allegations have been levelled against her. The applicant neither demanded any dowry from the family members of the deceased nor subjected the deceased to cruelty in connection with any such demand. Further, co-accused Ankit Pal, the husband of the deceased, is already languishing in jail. The applicant is in jail since 13.07.2026 having no criminal history and if she is released on bail, she will not misuse the said liberty.

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

5. Having heard learned counsel for the parties and after perusal of the

record, this Court prima facie finds that vague and general allegations have been levelled against the applicant. At this stage there is no corroborative evidence to link the applicant with the offence. The applicant has no criminal antecedents. Moreover, the applicant has remained confined for more than two months and after submission of the charge-sheet there is no hope of early conclusion of trial, and 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, therefore, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant- Smt. Sharda, involved in the aforesaid case, be released on bail on her furnishing a personal bond and two sureties each in the like amount to the satisfaction of 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; and,

(iii) shall not pressurize the prosecution witnesses.

7. 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
SKT/-

(Vivek Varma,J.)

Digitally signed by :-
SHIVA KANT TIWARI
High Court of Judicature at Allahabad