2026:AHC:230753

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 39643 of 2026

Raju Kumar Alias Ramsharan

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Bhupendra Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant and Sri Anupam Anand, learned Brief Holder for the State-opposite party.

2. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 144 of 2026, under Sections 80(2), 85 B.N.S. and 3/4 D.P. Act, Police Station Kotwali Jalaun, District Jalaun during the pendency of the trial.

3. Learned counsel for the applicant submits that the applicant is the father-in-law of the deceased and has been falsely implicated in the present case. The incident is alleged to have occurred on 05.07.2026, whereas the first information report was lodged on 12.07.2026. The delay in lodging the first information report is fatal to the prosecution case. As per the postmortem report, in the opinion of the doctor, the cause of death is "*to best of my knowledge and belief is as a result of asphyxia due to hanging which is antemortem and sufficient to cause death in ordinary course of nature*". Vague and general allegations have been levelled against the applicant. It is next 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. Identically placed co-accused Mula Devi, the mother in-law of the deceased, has been granted bail by this Court vide order dated 29.09.2026 passed in Criminal Misc. Bail Application No. 38617 of 2026, Mula Devi v. State of U.P. The applicant claims parity. The husband of the deceased is already languishing in jail. The applicant is in jail since 17.07.2026 having no criminal history and if he is released on bail, he

will not misuse the said liberty.

4. Learned Brief Holder for the State has 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. Identically placed co-accused Mula Devi, the mother in-law of the deceased, has been granted bail by this Court. 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 three 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- Raju Kumar @ Ramsharan, 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 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.

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 5, 2026
SKT/-

(Vivek Varma,J.)

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