2026:AHC:230714

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 39804 of 2026

Kiran Devi

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Amit Kumar Mishra, Nagendra Kumar Mishra

Counsel for Opposite Party(s) : G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant, Sri N.K. Sharma, learned A.G.A. for the State and perused the record.

2. The present bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 228 of 2026, under Sections 85, 80(2), 115(2), 352, 351(3) B.N.S., and Section 3/4 D. P. Act, Police Station- Dehli Gate, District- Aligarh, during pendency of the trial.

3. Counsel for the applicant contends 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, cause of death is *asphyxia due to antemortem hanging*. Vague and general allegations have been levelled against the applicant. The husband of the deceased, is already languishing in jail. 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. Co-accused Laxman Singh, who is father-in-law of the deceased, has been granted bail by this Court vide order 16.10.2026 passed in Criminal Misc. Bail Application No. 37147 of 2026 (Laxman Singh vs. State of U.P.). The applicant is in jail since 2.9.2026 having no criminal history and in case she is enlarged on bail, she will not misuse the said liberty.

4. Learned A.G.A. for the State has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. 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. Co-accused Laxman Singh, who is father-in-law of the deceased, has been granted bail by this Court. Moreover, the applicant is a lady and 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.

6. Let the applicant **Kiran Devi**, 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 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; 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.

(Vivek Varma,J.)

November 5, 2026
S.S.

Digitally signed by :-
SIDDHARTH SRIVASTAVA
High Court of Judicature at Allahabad