



2026:AHC:57329

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 31177 of 2025

Pankaj

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Dewendra Singh, Dileep Kumar
Shukla, Satish Sagar
Counsel for Opposite Party(s) : G.A.

Court No. - 67

HON'BLE SAMEER JAIN, J.

1. Heard Sri Dewendra Singh, learned counsel for the applicant and Sri Ashutosh Singh, learned AGA for the State.
2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 10 of 2025, under Sections 85, 80(2) of BNS, and Section 3/4 DP Act, Police Station Chandausi, District Sambhal, during pendency of the trial.
3. Learned counsel for the applicant submits, however applicant is husband of the deceased but on the basis of false allegation he has been made accused in the present matter.
4. He further argued, actually deceased suffered with Epilepsy and therefore she committed suicide by consuming pesticides and even her viscera report suggests she died due to consumption of Aluminum Phosphide.
5. He next argued, after consumption of pesticides applicant and his family members took the deceased to the hospital, but she could not survive and this fact is evident from the statement of Dr. Payodh Chaudhary, which has been annexed as Page-85 of the paper book.
6. He further argued, applicant is not having any other criminal history and in the present matter, he is in jail since 10.03.2025 i.e. for last more than a year.

7. Per contra, learned AGA opposed the prayer for bail but could not dispute the argument on facts advanced by learned counsel for the applicant.

8. I have heard learned counsel for the parties and perused the record of the case.

9. However, applicant is husband of the deceased and his wife died within seven years of her marriage under abnormal circumstances and there is also allegation of torture in connection to demand of dowry, but considering the viscera report of the deceased possibility of suicide committed by her cannot be ruled out at this stage.

10. Further, even from the FIR it reflects in the FIR it has not been mentioned what was the demand of dowry. Further, from the statement of the doctor it reflects after the incident applicant and his family members had taken the deceased to the hospital.

11. Further, applicant is not having any criminal history in the present matter, he is in jail since 10.03.2025 i.e. for last more than a year.

12. Further, law is settled that unless proven guilty an accused is deemed to be innocent and bail application should not be dismissed either for punitive or preventive purpose.

13. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

14. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

15. Let the applicant - **Pankaj** be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make inducement, threat or promise to any person acquainted with the facts of the case so as to

dissuade him from disclosing such facts to the Court or any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

16. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

17. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

March 19, 2026

Ashish/-

(Sameer Jain,J.)