



2026:AHC:166023

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 26082 of 2026

Jamuna Prasad Bind

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Krishna Kumar Mishra, Vikesh Kumar Tiwari
Counsel for Opposite Party(s)	: Bijay Kumar Srivastava, Devendra Kumar Bind, G.A., Zainab Parveen

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Supplementary affidavit filed by the applicant is taken on record.
2. However, along with instant bail application free true copy of bail rejection order has not been annexed but reason disclosed by the applicant in this regard in the supplementary affidavit appears to be acceptable, therefore, instant bail application is being heard.
3. Heard Sri Jitendra Singh, learned Advocate holding brief of Sri Vikesh Kumar Tiwari, learned counsel for the applicant, Sri Bijay Kumar Srivastava, learned counsel for informant and Sri Vijay Bahadur Maurya, learned AGA for the State.
4. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 231 of 2025, under Sections 103(1), 191(3), 238(kha) BNS, Police Station Kaudhiyara, District Prayagraj during pendency of the trial.
5. Learned counsel for the applicant submits, applicant is father-in-law of the deceased and as per prosecution applicant along with others after committing the murder of his son-in-law threw his dead body in the field but entire allegation leveled against the applicant is totally false.
6. He further submits, as per prosecution, deceased on the date of incident stayed in the house of applicant but this allegation is totally false. He further submits, deceased came in the house of applicant on 29.10.2025 but in the

night he returned back and subsequently his dead body was found.

7. He further submits, however, when the statement of daughter of the applicant was recorded then she stated that applicant along with his son-in-law consumed liquor and thereafter both started quarreling and applicant beaten him but from her statement it could not be reflected that applicant was having any intention to commit murder of the deceased and it reflects, under intoxication dispute arose between applicant and deceased and it reflects, after the quarrel deceased went away and subsequently his dead body was found.

8. He further submits, however from the post mortem report of the deceased it reflects, he sustained five injuries but he sustained only one injury on his head which was fatal and therefore even post mortem report also does not indicate that applicant was having any intention to commit murder of the deceased.

9. He further submits, applicant is not having any criminal history and in the present matter he is in jail since 09.01.2026 i.e. for last more than six months.

10. Per contra, learned AGA as well as learned counsel for informant opposed the prayer for bail and submit, applicant is father-in-law of the deceased and there is ample evidence that deceased on the date of incident was along with applicant in his house and thereafter applicant beaten him and subsequently his dead body was found in the field but they could not dispute the fact that even as per statement of daughter of the applicant at the time of incident both applicant and deceased were under intoxication.

11. They also could not dispute the fact that from the statement of daughter of applicant it could not be reflected, at the time of quarrel deceased died and thereafter applicant tried to conceal his dead body. They fairly conceded that possibility cannot be ruled out that after the quarrel deceased left the house of applicant and subsequently his dead body was found in the field.

12. They also could not dispute the fact that post mortem report however suggests that deceased sustained as many as five injuries but he died due to injury no.4 which was on occipital area. They also could not dispute the fact that applicant is not having any criminal history and in the present matter he is in jail since 09.01.2026 i.e. for last more than six months.

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

14. Applicant is father-in-law of the deceased and as per allegation, he committed the murder of his son-in-law when he was in his house. From the record it also reflects, when statement of daughter of applicant was recorded then she however stated that applicant and deceased were under intoxication and thereafter quarrel took place between both of them and applicant beaten him and even tossed him but she could not state that after that applicant had either taken the deceased or deceased stayed in her home and from the statements of witness Komal and other witnesses it reflect, after the incident of quarrel deceased had left the house of applicant and subsequently his dead body was found in the field.

15. Further, however from the statement of daughter of applicant it reflects, quarrel took place between applicant and deceased and applicant also beaten the deceased but from the statement it could not be reflected, applicant was having any intention to commit his murder and even from the post mortem report prima facie it could not be reflected, applicant was having any intention to commit the murder of the deceased by causing injury to him. Further, even it reflects, at the time of incident applicant and deceased both were under intoxication.

16. Further, applicant is not having any criminal history and in the present matter he is in jail since 09.01.2026 i.e. for last more than six months.

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

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

19. Let the applicant -Jamuna Prasad Bind 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.

20. 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.

21. 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.

August 7, 2026
AK Pandey

(Sameer Jain,J.)