



2026:AHC:163089

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 26201 of 2026

Deepak

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ashok Kumar Maurya
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Ashok Kumar Maurya, learned counsel for the applicant and Sri Imran Khan, learned AGA, for the State.
2. The instant bail application has been filed on behalf of the applicant with the prayer to release him on bail in Case Crime No.66 of 2026, under Sections 103(1), 61(2)(a) and 326(g) BNS, Police Station Gadwar, District Ballia during pendency of the trial.
3. Learned counsel for the applicant submits that however, as per allegation applicant along with his mother by setting fire to the house committed the murder of his sister-in-law and her son and even in the incident his brother Neeraj also sustained injuries but entire allegations against the applicant are totally false.
4. He further submits that there is no cogent evidence against the applicant on record, which can suggest that applicant set fire as alleged.
5. He further submits that even neither from the statement of injured Neeraj nor from the statement of witnesses, it could be reflected, they witnessed, either applicant or any accused set fire.
6. He further argued that actually it is a case of accidental fire and accidentally due to fire deceased sustained injuries and died and even in the incident Neeraj also sustained burn injuries.
7. He further submits that even after considering the entire facts in detail co-accused Kanti Devi has been released on bail by this Court vide order

dated 22.7.2026 passed in Criminal Misc. Bail Application No. 23100 of 2026.

8. He further submits that applicant is not having any previous criminal history and in the present matter he is in jail since 17.3.2026 i.e., for the last more than four months.

9. Per contra, learned AGA opposed the prayer for bail and submits that it is a case of double murder and even in the incident younger brother of the applicant also sustained burn injuries but could not dispute the fact that there is no cogent evidence on record, which can suggest that applicant and other accused were the person, who set fire. He also could not dispute the fact that mother of the applicant has been released on bail with a very detailed and reasoned order and the case of applicant is at par with her.

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

11. However, it is a case of double murder and even in the alleged incident one person also sustained injuries but from the statements of the witnesses it could not be reflected that they witnessed the real incident and considering the facts of the case argument advanced by the learned counsel for the applicant that it appears to be a case of accidental fire cannot be ruled out at this stage.

12. Further, after considering the entire facts in detail, mother of the applicant, namely, Kanti Devi, who was also named in the FIR, has been released on bail by this Court and the case of applicant is at par with her.

13. Further, applicant is not having any previous criminal history and in the present matter he is in jail since March, 2026, i.e., for the last more than four months.

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

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

16. Let the applicant-**Deepak** 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 her 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 her 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.

17. 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.

18. 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.

(Sameer Jain,J.)

August 5, 2026
SKM