



2026:AHC:166758

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 26697 of
2026

Gulista

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ambreen Masroor, Sadrul Islam Jafri, Sr. Advocate
Counsel for Opposite Party(s)	:	G.A.

Court No. - 78

HON'BLE SUBHASH CHANDRA SHARMA, J.

Heard learned counsel for the applicant, learned A.G.A for the State and perused the record.

It is submitted by learned counsel for the applicant that she is mother-in-law of the deceased who is innocent and has been falsely implicated in the present case. During the course of the trial statements of PW-1 & 2, mother-in-law and father-in-law of the deceased, have been recorded in which they have not supported the prosecution version and turned hostile. Further submitted that in the post-mortem report nothing such was found to suggest that acid was administered to the deceased by force by the applicant and members of the family. Further submitted that general allegation was made against all the members of the family in administering acid to the deceased though no any injury was found on her person to suggest that force was used with her to administer the acid. Further submitted that dying declaration was recorded by the doctor in which she did not assign any specific role to the present applicant except general role to all the members of the family. It is also submitted that the incident is said to have taken place on 01.08.2025 and F.I.R. was lodged on 26.08.2025 after inordinate delay after explanation. The applicant is languishing in jail since 12.09.2025 and trial is going on and in

case he is released on bail, he will not misuse the liberty of bail and will cooperate in trial.

On the other hand, learned A.G.A. opposed the prayer for bail but could dispute the fact that father and mother of the deceased have become hostile during the course of trial and have not supported the prosecution version.

Considering the facts and circumstances of the case, the nature of the offence, evidence, complicity of the accused, submissions of the learned counsel for the parties, the contents of F.I.R., the medical report, the statements of PW-1 & 2 as recorded before the learned trial court during the course of trial, the post-mortem report, the dying declaration of the victim, the period applicant is in jail i.e.12.09.2025 and without expressing any opinion on the merits of the case, the Court is of the view that the applicant has made out a case for bail.

Accordingly, this bail application is **allowed**.

Let the applicant- **Gulista** involved in Case Crime No.384/2025, under Sections 80(2), 85, 124(1), 351(2), 352 B.N.S. Section 3/4 Dowry Prohibition Act, Police Station Didauli, District Amroha, be released on bail during the pendency of trial on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions.

1. The applicant will not tamper with the evidence during the trial.
2. The applicant will not pressurize/ intimidate the prosecution witness.
3. The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.
4. The applicant shall not commit an offence similar to the offence of which he is accused, or suspected of the commission of which he is suspected.

5. The applicant shall not directly or indirectly make any 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 to any police officer or tamper with the evidence.

In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

The party shall file self attested computer generated copy of this order downloaded from the official website of High Court, Allahabad. The concerned court/authority/official shall verify the authenticity of such computerised copy of the order from the official website of High Court, Allahabad and shall make a declaration of such verification in writing.

August 10, 2026
Ashok Gupta

(Subhash Chandra Sharma,J.)