



2026:AHC:162458

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 27049 of 2026

Priyanka

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Rakesh Kumar Srivastava
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Rakesh Kumar Srivastava, learned counsel for the applicant and Sri Manoj Kumar Singn, learned brief holder for the State.
2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.508 of 2023, under Sections 302, 201, 120B IPC, Police Station Crossing Republic, District Ghaziabad, during pendency of the trial.
3. Learned counsel for the applicant submits, FIR of the present case was lodged against unknown person and according to the FIR marriage of brother of the informant was solemnized with the applicant but applicant used to quarrel with him and on 22.12.2023 when informant and mother of the informant had mobile conversation with the applicant and verified about the deceased then she stated that some murder has been committed in her neibhourhood and thereafter subsequently dead body of brother of the informant was recovered on 22.12.2023 i.e. same day.
4. He next submits, during investigation merely on the basis of suspicion applicant has been made accused who is wife of the deceased.
5. He further argued, however as per prosecution on the pointing out of the applicant and co-accused Garjan, motorcycle of the deceased and one knife were recovered but in absence of any other corroborative evidence merely on the basis of above recovery prima facie at this stage it cannot be said that applicant committed murder of her husband alongwith co-

accused Garjan specially considering the fact that the alleged recovered knife could not be connected with the instant crime.

6. He next submits, even co-accused Garjan has been released on bail by this Court vide order dated 09.07.2026 passed in Criminal Misc. Bail Application No.21508 of 2026 and his bail order has been annexed at page-83 of the paper-book.

7. He next submits, applicant is lady and she is not having any criminal history and in the present matter she is in jail since 27.12.2023 i.e. for last more than two and half years.

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

9. I have heard both the parties and perused the record of the case.

10. However, applicant is wife of the deceased and as per allegation she developed illicit relationship with co-accused Garjan and therefore she alongwith him committed murder of her husband i.e. deceased of the present case but except suspicion only evidence against the applicant is that on her pointing out motorcycle of the deceased and one knife allegedly used in the crime were recovered. In considered view of this Court, in absence of any other corroborative evidence merely on the basis of above evidence prima facie it cannot be said that applicant involved in commission of the present crime.

11. Further, even the alleged recovered knife could not be connected with the instant crime.

12. Further, it reflects, co-accused Garjan has already been released on bail by this Court.

13. Further, it also reflects, applicant is lady and she is not having any criminal history and in the present matter she is in jail since 27.12.2023 i.e. for last more than two and half years.

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 - **Priyanka** 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 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.

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 4, 2026

Shahroz