



2026:AHC:162035

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. BAIL APPLICATION No. - 27051 of 2026**

Pankaj Pandey

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

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| Counsel for Applicant(s)      | : Anil Kumar Dwivedi, Diwakar Mishra, Jainendra Pandey, Rajneesh Upadhyay |
| Counsel for Opposite Party(s) | : Anurag Tripathi, G.A., Rahul Kumar Mishra                               |

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**Court No. - 66**

**HON'BLE ARUN KUMAR SINGH DESHWAL, J.**

1. Heard Sri Jainendra Pandey, learned counsel for the applicant, Sri Bhavesh Kumar Vishwakarma, Advocate, holding brief of Sri Anurag Tripathi, learned counsel for the first informant and Sri Prateek Dawar, learned A.G.A. for the State and perused the record.

2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No.498 of 2025, under Sections-80(2), 85 BNS and Section 3/4 D.P. Act, Police Station-Nawabganj, District-Prayagraj, during the pendency of the trial.

3. The contention of the learned counsel for the applicant is that the applicant is the husband of the deceased, who committed suicide by hanging. It is further submitted that, during the investigation, the brother, mother, and father of the deceased supported the prosecution story regarding the harassment of the deceased for the non-fulfillment of the demand for dowry. However, during the trial, the first informant (brother of the deceased), examined as PW-1, the mother of the deceased, examined as PW-2, and the father of the deceased, examined as PW-3, did not support the prosecution story. Therefore, they were declared hostile by the trial court. As on date, there is no material against the applicant, and he has been falsely implicated merely for being the husband of the deceased. It is further submitted that the charge sheet has been filed in the present case, therefore, there is no requirement of custodial interrogation. The applicant is languishing in jail since 15.11.2025. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Per contra, learned counsel for the first informant and learned A.G.A. have vehemently opposed the prayer for bail but could not dispute the aforesaid facts.

5. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of **Kapil Wadhawan vs Central Bureau of Investigation** reported in **2025 SCC OnLine SC 3038** as well as guideline of this Court in the case of **Maya Tiwari Vs. State of U.P.** reported in **2024 SCC Online All 6765** regarding grant of bail and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail. Accordingly, the present application is **allowed**.

6. Let the applicant- **Pankaj Pandey**, involved in the aforementioned crime be released on bail, on his 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 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.
- ii. The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.
- iii. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.
- iv. The applicant shall attend in accordance with the conditions of the bond executed by him.

7. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

8. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

9. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

10. It is made clear that the applicant shall be released on the basis of computer generated copy of this order, downloaded from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within 15 days.

11. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

12. Office is directed to send a copy of this order to the applicant through **Central Jail Prayagraj, Jail Superintendent** via e-mail or on e-prison portal and Trial Court via e-mode within 24 hours in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021** decided on **31.01.2023** reported in **(2024) 10 SCC 685** as well as **Pila Pahan @ Peela Pahan and others Vs. State of Jharkhand and another**, in **Writ Petition (Criminal) No. 169 of 2025**, decided on **29.05.2026**.

August 4, 2026  
S.C.

(Arun Kumar Singh Deshwal,J.)