



2026:AHC:163733

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 27072 of 2026

Parwati Alias Sadawati

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Abhishek Trivedi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Abhishek Trivedi, learned counsel for the applicant and Sri Vijay Kumar, learned AGA for the State-respondent.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 56 of 2026, under Sections 103(1) BNS, Police Station Sadar Bazar, District Shahjahanpur, during pendency of the trial in the court below.
3. Learned counsel for the applicant submitted that FIR of the present case was lodged after three and half months through application u/s 173(4) BNSS which was also moved after more than a month and therefore, FIR of the present case is highly delayed.
4. He further submitted that however applicant is named in the FIR but admittedly informant of the case was not eye witness.
5. He further submitted that when after lodgement of the FIR investigation was commenced then Investigating Officer recorded the statement of one Babal Yadav @ Manoj Yadav and he however stated that applicant alongwith three others was making assault upon the deceased but even from his statement and statement of the doctor it is apparent that applicant herself had taken the deceased to the hospital where he has been declared dead.
6. He further submitted that even only general role has been assigned to all the accused and even statement of eye-witness Babal Yadav @ Manoj Yadav has been recorded quite belatedly after several months.

7. He further submitted that applicant is lady and she is having no criminal history and she is in jail in the present matter since 10.4.2026.

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

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

10. However, from the statement of one alleged witness it reflects, applicant alongwith other accused were making assault upon the deceased but FIR of the present case was lodged after more than three months through an application under section 173(4) BNSS and even this application was moved after more than a month and therefore, FIR of the present case is highly delayed.

11. Further, even it reflects, the alleged witness assigned general role to all the accused and even from the record, it reflects, applicant after the incident had taken the deceased to the hospital where he died.

12. Considering the overall facts of the case, including the fact that applicant is lady, prima facie, at this stage, it cannot be said that she committed the murder of the deceased.

13. Further, applicant is lady and she is having no criminal history and she is in jail in the present matter since 10.4.2026.

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-**Parwati Alias Sadawati**, 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.

August 5, 2026
Ankita

(Sameer Jain,J.)