



2026:AHC:163215

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 27349 of 2026

Manoj Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Gopal Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Gopal Singh, learned counsel for the applicant, Sri DPS Chauhan, 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. 483 of 2025, under Section 85, 80(2), 351(2), 92 B.N.S. & Section 3/4 D.P. Act, P.S. Kotwali City Mahoba, District Mahoba, during the pendency of the trial.

3. Contention of learned counsel for the applicant is that the applicant is the husband of the deceased, who committed suicide by consuming poisonous substance on 31.12.2024, and immediately thereafter the applicant brought her to the hospital, where she died. The parents of the deceased were also informed on 01.01.2025 and, at the time of the inquest proceedings, the applicant as well as his other family members were present along with the parents of the deceased. In the post-mortem report of the deceased, the cause of death could not be ascertained and, hence, the viscera was preserved. However, the present FIR came to be lodged on 11.10.2025 through an application under Section 173(4) BNSS filed on 03.04.2025, which was after more than 3 months from the date of the incident, without any explanation for such delay. The viscera report of the deceased, received on 30.04.2025, shows that the deceased died due to consumption of poisonous substance.

4. It is further submitted that there is an unexplained delay of about 10 months in registering the FIR and, apart from this, several villagers have clearly stated that it was a simple dispute between the husband and wife over household

issues, which resulted in the deceased committing suicide. It is further submitted that it is admitted by the first informant as well as the other witnesses that it was an inter-caste marriage and the parents of the deceased were not happy with the marriage, and for that reason the FIR has been lodged after a considerable delay of 10 months. It is further submitted that the applicant has no criminal history. 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 a law-abiding citizen and has been languishing in jail since 24.10.2025. In case he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

5. Per contra, learned A.G.A. has vehemently opposed the prayer for bail but could not dispute the aforesaid facts.

6. 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., 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**.

7. Let the applicant- **Manoj Kumar**, 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.

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

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

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

11. 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.

12. 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.

13. Office is directed to send a copy of this order to the applicant through **concerned 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.**

14. Application, if any, stands **disposed of**.

(Arun Kumar Singh Deshwal,J.)

August 5, 2026
SA