



2026:AHC:165302

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 27536 of 2026

Kirat Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Chandra Prakash Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Sri Ramanuj Yadav, learned Advocate filed his power on behalf of informant, today in the Court, which is taken on record.
2. Heard Sri C.P. Tiwari, learned counsel for the applicant, Sri Ramanuj Yadav, learned counsel for informant and Sri Imran Khan, learned AGA for the State.
3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 43 of 2026, under Sections 103(1), 352, 3(5) BNS, Police Station Charkhari, District Mahoba during pendency of the trial.
4. Learned counsel for the applicant submits, applicant is Jeth of the deceased and as per allegation after the death of husband of the deceased her father-in-law used to torture her and on the date of incident applicant and father-in-law of the deceased beaten the deceased due to which she sustained injury and died but entire allegation leveled against applicant is totally false.
5. He further submits, as per prosecution, incident occurred in front of daughter of the deceased and from her statement it reflects, she assigned only role of catching hold to the applicant and it could not be reflected, applicant also caused any injury to the deceased.
6. He further submits, even being Jeth of the deceased applicant was not having any concerned with her and it reflects, as he is elder son of principal accused, therefore, he has been made accused along with him in the present matter.

7. He further submits, applicant is not having any criminal history and in the present matter he is in jail since 23.03.2026.

8. Per contra, learned AGA as well as learned counsel for informant opposed the prayer for bail and submit, applicant is Jeth of the deceased and after the death of husband of the deceased he along with his father committed her murder by causing injury to her.

9. They further submit, however, from the statement of eye witness it reflects, role of catching hold has been assigned to the applicant but this fact clearly suggests he was also having common intention along with co-accused Daya Ram, the father-in-law of the deceased.

10. They further submit, being Jeth of the deceased it was responsibility of the applicant to maintain her but instead of doing so he supported his father and also participated in causing injuries to her.

11. The further submit, therefore, considering the facts of the case, applicant does not deserve bail and instant bail application should be dismissed.

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

13. However, applicant is Jeth of the deceased and even from the statement of alleged eye witness i.e. the daughter of the deceased it reflects, co-accused Daya Ram the father-in-law of the deceased caused injury to her due to which she died but from her statement it also reflects, applicant at the time of alleged assault caught hold the deceased and therefore prima facie it cannot be said that applicant is innocent.

14. This Court finds merit in the argument advanced by learned AGA as well as learned counsel for informant that after the death of the husband of the deceased being Jeth of the deceased applicant was having larger responsibility on his shoulder to take care of her but instead of doing so he participated along with his father in the alleged incident, therefore, no leniency should be shown in his favour.

15. Further, even in the present matter applicant is in jail only since 23.03.2026.

16. Therefore, considering the facts and circumstances of the case discussed

above, in my view, applicant is not entitled to be released on bail.

17. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **rejected**.

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 7, 2026
AK Pandey

(Sameer Jain,J.)