



2026:AHC:180286

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 30227 of 2026

Ishaq

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Abida Khatun, Mohd. Naushad Ahmad Khan
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE SAMEER JAIN, J.

1. Heard Sri Mahaprasad, learned Advocate holding brief of Sri Mohd. Naushad Ahmad Khan, learned counsel for the applicant and Dr. S.B. Maurya, learned AGA-I for the State.
2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 353 of 2026, under Sections 103(1), 238, 61(2) BNS, Police Station Baraut, District Baghpat during pendency of the trial.
3. Learned counsel for the applicant submits, applicant is father-in-law of the deceased and however as per allegation applicant along with his family members including husband of the deceased committed the murder of his daughter-in-law but entire allegation leveled against applicant is totally false. He next submits, admittedly informant of the case was not the eye witness.
4. He further submits, during investigation Investigating Officer recorded the statements of three witnesses namely Waqeela, Anil and Pramod and their statements have been annexed along with instant bail application and from their statements it reflect, deceased along with her husband was doing work in a brick-kiln and during work her husband i.e. co-accused Aas Mohammad beaten her through butt of spade and these witnesses did not state that applicant was also present at spot.
5. He further submits, applicant was not present at spot and he arrived after the information. He further submits, from the statements of eye witnesses prima facie it reflects, husband of the deceased namely Aas Mohammad was the principal accused who caused injuries to her. He further submits, it

reflects, as applicant was father-in-law of the deceased therefore, he has been made accused in the present matter.

6. He further submits, applicant is not having any criminal history and in the present matter he is in jail since 04.07.2026.

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

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

9. However, applicant is father-in-law of the deceased and post mortem report of the deceased suggests that she sustained number of injuries and even he is in jail only since 04.07.2026 but from the statements of alleged eye witnesses it reflect, husband of the deceased i.e. co-accused Aas Mohammad caused injuries to the deceased and from their statements it could not be reflected, applicant was even present at spot.

10. Considering the facts of the case, the argument advanced by learned counsel for applicant that as applicant is father of principal accused i.e. husband of the deceased therefore he has also been made accused along with him in the present matter cannot be ruled out at this stage.

11. Further, applicant is not having any criminal history.

12. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

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

14. Let the applicant - Ishaq 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 his 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.

15. 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.

16. 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 31, 2026
AK Pandey

(Sameer Jain,J.)