



2026:AHC:129173

**HIGH COURT OF JUDICATURE AT ALLAHABAD**  
**CRIMINAL MISC. BAIL APPLICATION No. - 13419 of 2026**

Shashi

.....Applicant(s)

Versus

State of U.P.

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Mohit Kumar Singh, Sujata Choudhary  
Counsel for Opposite Party(s) : Dharendra Kumar Verma, G.A., Renu Swarnkar

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**Court No. - 71**

**HON'BLE VIVEK KUMAR SINGH, J.**

1. Rejoinder affidavit filed today is taken on record.
2. Heard learned counsel for the applicant, and the learned A.G.A. for the State of U.P. None appears on behalf of the informant even in the revised call.
3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.193 of 2025, under Section 103(1), 124(1), 3(5), 331(6) of the BNS, 2023, Police Station Hapur Dehat, District Hapur.
4. Learned counsel for the applicant contended that the applicant is innocent and has been falsely implicated in the present case. It is further contended that the applicant is not named in the FIR; the FIR was lodged against Mukesh, Gangaram, Bhopal, Shripal and brother in law of the Mukesh; no allegation has been levelled against the applicant regarding her involvement in the alleged offence; the statement of the husband of the deceased and first informant were recorded thrice but the name of the applicant was not taken by them in their statements. It is further contended that the deceased, prior to her death, was produced before the learned magistrate for recording her statement under section 183 BNSS wherein she stated that she was set on fire by the applicant- Shashi, Vishakha, Mukesh, Mopal (Bhopal), Gangaram and Keshav. It is further alleged that the applicant came her house from 3rd floor and jumped into house of the deceased. The learned counsel for the applicant has drawn the attention towards the photographs of the applicant's

house and the deceased house and stated that the incident cannot had taken place in the manner as alleged by the deceased. It is further contended that named accused persons Devendra and Sreepal have been exonerated by the investigating officer and the other co-accused persons Vishakha and Keshav, whose names were taken by the deceased in her statement recorded under section 183 BNSS, have also been exonerated by the investigating officer. Therefore, the prosecution case is doubtful and cannot be relied upon. The applicant is a lady and she has been falsely implicated on account of previous enmity. It is next contended that the case of the applicant is distinguishable from the case of other co-accused. There is no criminal history of the applicant. Learned counsel for applicant further submits that applicant has been languishing in jail since 06.10.2025 and in case, she is released on bail, he will not misuse the liberty of bail and will cooperate in trial.

5. Per contra, learned A.G.A. has opposed the prayer for grant of bail to the applicant and submitted that there is ample evidence against the applicant regarding her involvement in the offence, therefore, she is not entitled to be released on bail.

6. Having considered the rival submissions advanced by learned counsel for the parties, the nature of accusations, the evidence brought on record, the period of incarceration undergone by the applicant, the absence of any criminal antecedents, and without expressing any opinion on the merits of the case, this Court finds that the applicant has made out a case for grant of bail.

7. Accordingly, the bail application is **allowed**.

8. Let the applicant- **Shashi**, who is involved in the aforementioned case crime be released on bail on her furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

(i) The applicant shall file an undertaking to the effect that she shall not seek any adjournment on the date fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the

Trial Court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the Trial Court on each date fixed, either personally or through her counsel. In case of her absence, without sufficient cause, the Trial Court may proceed against her under Section 229-A IPC/ 269 B.N.S.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure her presence proclamation under Section 82 Cr.P.C./ 84 B.N.S.S., may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the Trial Court shall initiate proceedings against her, in accordance with law, under Section 174-A IPC/ 209 B.N.S.

(iv) The applicant shall remain present, in person, before the Trial Court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C./ 351 of B.N.S.S. If in the opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against her in accordance with law.

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

10. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

**(Vivek Kumar Singh,J.)**

**June 25, 2026**

Nitendra