



2026:AHC-LKO:42245

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 4787 of 2026

Sonu

.....Applicant(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Home
U.P. Lko.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Anil Kumar Yadav, Diwakar Singh Kaushik
Counsel for Opposite Party(s)	:	G.A.

Court No. - 16

HON'BLE SHREE PRAKASH SINGH, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State, and perused the record.
2. The instant bail application has been filed on behalf of the applicant with the prayer to release him on bail during the trial in Case Crime No. 115 of 2026, under Section 108 of the BNS, Police Station Kotwali Tanda, District Ambedkar Nagar.
3. As per the prosecution case, about seven years ago the applicant had solemnized marriage with the daughter of the informant after alluring her and performing a court marriage. Out of the said wedlock, a five-year-old son was born. It is alleged that whenever the deceased insisted on visiting her parental house, the applicant refused and used to harass her. It is further alleged that whenever the deceased went to her parental house, the applicant used to bring her back within 2-4 days, due to which she remained sad. It is also alleged that the applicant did not behave properly with the deceased and used to assault her, and on account of such harassment, the deceased committed suicide.
4. Learned counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case. He further submitted that, according to the FIR itself, the deceased committed suicide and the allegation against the applicant is only of abetment of suicide. He submitted that the FIR also states that the applicant was residing in Tamil Nadu for earning his livelihood and there is no specific act attributed to him which could have abetted the commission of suicide by the deceased. He further submitted that even in the statement of the informant, there is no specific allegation as to what had compelled the deceased to commit suicide on the relevant date or how the applicant had abetted the same. He submitted that the applicant has been implicated only because he is the husband of the deceased and there is no cogent evidence against him regarding the commission of the alleged

offence.

5. He further submitted that the charge-sheet has already been filed and no further custodial interrogation of the applicant is required. He also submitted that the applicant cooperated during the investigation. The applicant has a criminal history of one case, which has been explained in paragraph- 33 of the bail application, and he is languishing in jail since 14.05.2026. It is lastly submitted that, if released on bail, the applicant will cooperate in the trial proceedings and will not misuse the liberty of bail.

6. Per contra, learned A.G.A. opposed the prayer for bail and submitted that the deceased, who was the wife of the applicant, committed suicide in her matrimonial home. He submitted that the main allegations are against the applicant, being the husband of the deceased, who was under an obligation to take care of her. Since he failed to do so and serious allegations have been levelled against him thus, he is not entitled to be enlarged on bail.

7. Having heard learned counsel for the parties and upon perusal of the material available on record, it appears that the deceased committed suicide in her matrimonial home after about seven years of marriage and that a five-year-old child was born out of the wedlock. Though allegations have been made that the conduct of the applicant compelled the deceased to commit suicide, but, there is no specific allegation either in the FIR or in the statement of the informant indicating any act of the applicant which could have compelled the deceased to commit suicide. There seems to be proximity in the act of the applicant with the committal of offence. The applicant cooperated during the investigation and the charge-sheet has already been filed. The applicant has explained criminal history of one case in paragraph- 33 of the bail application and he is languishing in jail since 14.05.2026 and no further custodial interrogation of the applicant is required. Considering the aforesaid facts and circumstances and without entering into the merits of the case, I find it to be a fit case for grant of bail.

8. Let the applicant- Sonu 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:-

1) The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, or otherwise during the investigation or trial;

(2) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. He shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 229-A of the Indian Penal Code;

(3) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording

of statement under Section 313 Cr.P.C.; and

(4) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, the trial court shall initiate proceedings against him, in accordance with law under Section 174-A of the Indian Penal Code.

9. The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the above conditions, the court below shall be at liberty to cancel the bail and send the applicant to prison.

10. It is clarified that the observations made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the merits of the case.

June 29, 2026
DiVYa

(Shree Prakash Singh,J.)