



2026:AHC:167493

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 27868 of 2026

Ajay Shukla @ Suraj Shukla

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Adya Prasad Tewari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Adya Prasad Tewari, learned counsel for the applicant, Sri Tripurari Pal, learned counsel for the first informant (upon appearance filed today) Sri Roshan Kumar Singh, 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.141 of 2026, under Sections 85, 351(2), 80 (2) BNS and Section 3/4 D.P. Act, Police Station-Gola, District-Gorakhpur, during the pendency of the trial.

3. Contention of learned counsel for the applicant is that as per the allegation in the FIR, there was a dispute between the applicant and the deceased over the illicit relationship of the applicant with another women and applicant also used to harass the victim for non-fulfillment of demand of dowry of Rs.10 lakhs. It is further submitted that the first informant as well as brother of deceased and also several villagers clearly stated in their statement u/s 180 BNSS that real dispute was over the illicit relationship of the applicant with another women and there was no dispute regarding demand of dowry or harassment thereof. It is further submitted that as per the postmortem report, the cause of death is hanging. The evidence available in the case diary clearly shows that deceased committed suicide after a brief quarrel with the applicant regarding his alleged relationship with another women. Therefore, the case would not fall under the dowry death, even though the deceased died within 7 years and applicant has been falsely implicated merely because the applicant and deceased were having estranged relationship over the issue of the applicant's alleged relationship with another women. It is further submitted that the applicant has explained the criminal history of one case in the

accompanying affidavit. It is further submitted that charge sheet has been filed in the present case, therefore, there is no requirement of custodial interrogation. The applicant is languishing in jail since 25.04.2026. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Per contra, learned counsel for the first informant and learned A.G.A. have vehemently opposed the prayer for bail but could not dispute the aforesaid facts.

5. 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.** reported in **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**.

6. Let the applicant- **Ajay Shukla @ Suraj Shukla**, 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.

7. In case of breach of any of the above conditions, it shall be a

ground for cancellation of bail.

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

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

10. 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.

11. 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.

12. Office is directed to send a copy of this order to the applicant through **Gorakhpur 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**.

August 11, 2026
S.C.

(Arun Kumar Singh Deshwal,J.)