



2026:AHC:1464

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 44186 of 2025

Najma

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Manvendra Narain Pathak, Sanjay
Tiwari

Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri D.P. Tripathi, Advocate holding brief of Sri Sanjay Tiwari, learned counsel for the applicant and Sri Deepak Kumar Singh, learned A.G.A. for the State and also perused the material placed on record.
3. Applicant seeks bail in **Case Crime No. 242 of 2025, under Sections 103(1) and 238 of BNS, Police Station - Dadri, District - Gautambudh Nagar**, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is innocent and has been falsely implicated in the present case. She has nothing to do with the said offence as alleged in the FIR. The FIR is delayed by about four days and there is no explanation of the said delay caused. The FIR has been lodged as an afterthought and after legal consultations.
5. Learned counsel has also stated that the applicant is languishing in jail since 10.05.2025, having no criminal history to her credit. In case, the applicant is released on bail, she will not misuse the liberty of bail and shall cooperate with trial.
6. Per contra, learned AGA has vehemently opposed the bail application on the ground that the applicant is named in the FIR and the cause of death of deceased is found to be asphyxia as result of ante-mortem

strangulation.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, nature of offence, severity of punishment and also considering the fact that despite the informant having full knowledge of the circumstances, there was an unexplained delay of four days in lodging the FIR, *prima facie* I find it a fit case to release the applicant on bail. The bail application is **allowed**.

10. Let the applicant- **Najma**, who is involved in 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 will not tamper with the evidence during trial.
- ii) The applicant will not pressurise/intimidate with the prosecution witnesses.
- iii) The applicant will appear before the trial court on the date fixed.

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

12. 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.

(Krishan Pahal,J.)

January 5, 2026

Siddhant