



2026:AHC:8021

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 6766 of 2025

Manju

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Satyendra Narayan Singh, Vineet Singh
Parmar

Counsel for Opposite Party(s) : Diwakar Mishra, G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Satyendra Narayan Singh, learned counsel for applicant, Sri Kripa Kant Pandey, learned counsel for the informant as well as Sri V.K.S. Parmar, learned A.G.A. for the State and perused the material placed on record.
3. The present bail application has been filed by the applicant in Case Crime No. 97 of 2023, under Sections 302, 120B IPC, Police Station Gagalkerhi, District Saharanpur, with the prayer to enlarge her on bail.
4. Learned counsel for the applicant has stated that the applicant is a lady and she is in jail since 21.9.2023 i.e. for two years and seven months, as such, the period of incarceration is a valid ground for her release on bail. The offence against the applicant may fall within the category of criminal conspiracy only as she has not played any active role in the commissioning of the offence. The conversation of the applicant with the co-accused person Ajay was but natural. It cannot be implied that the said conversations let the co-accused person to commit the offence of murder, as such, the applicant is entitled for bail. In case, the applicant is released on bail, she will not misuse the liberty of bail.
6. Per contra, learned A.G.A. and learned counsel for the informant have vehemently opposed the bail application on the ground that at the relevant

point of time, when the offence was committed, the applicant and the co-accused person Ajay had thirty-four conversations, which is not natural. The said conversations speak volume of the complicity of the applicant in the offence. The applicant had illicit relationship with co-accused person Ajay, who alongwith one unknown person was seen leaving the house of the applicant with the deceased by Vikram and Manoj. The last seen evidence also establishes that the deceased was going alongwith the co-accused person Ajay. Learned counsel for the informant has further stated that the relevant point in the instant case would be the post event conduct of the applicant, which falls within the category of Section 8 of the Indian Evidence Act, as the applicant had left the place of occurrence and was not traceable.

7. After hearing learned counsel for the parties and taking into consideration the fact that the applicant is the primary accused person, who got the said offence committed with the co-accused persons and post event conduct of the applicant and the fact that she had thirty-four conversations with the co-accused person Ajay at that point of time, I do not find it a fit case for grant of bail to the applicant. The bail application is found devoid of merits and is, accordingly, **rejected**.

8. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously as early as possible in view of the principle as has been laid down in the recent judgments of the Supreme Court in the cases of ***Vinod Kumar vs. State of Punjab; 2015 (3) SCC 220*** and ***Hussain and Another vs. Union of India; (2017) 5 SCC 702***, if there is no legal impediment.

9. 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.

(Krishan Pahal,J.)

January 13, 2026

Shalini