



2026:AHC:9604

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 40828 of 2024

Smt Madhuri

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Chandra Bhan Dubey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Umesh Kumar, Advocate holding brief of Sri Chandra Bhan Dubey, learned counsel for the applicant and Sri Jai Kishan Chaurasia, learned State Law Officer and perused the record.
3. Applicant seeks bail in **Case Crime No. 89 of 2023, under Sections 147, 148, 149, 302, 120-B of IPC, Police Station - Raksha, District - Jhansi**, during the pendency of trial.
4. It is submitted by learned counsel for the applicant that similarly placed co-accused person, Kuldeep Chaturvedi Alias Golu, has already been enlarged on bail by coordinate Bench of this Court vide order dated 23.9.2025 passed in Criminal Misc. Bail Application No. 6631 of 2025. It is further submitted that since the case of the applicant is at par to the co-accused, who has already been enlarged on bail, she is also entitled to be enlarged on bail on the ground of parity.
5. Learned counsel has also stated that the applicant is not named in the FIR. She is languishing in jail since 16.4.2023, having no criminal history. In case, the applicant is released on bail, she will not misuse the liberty of bail and shall cooperate with trial.
6. The prayer for bail has been vehemently opposed by learned State Law Officer. However, the aforesaid factual aspects of parity to the co-accused and of no criminal history of the applicant, have not been disputed by him.

7. This Court had called for a report regarding the status of trial and in compliance thereof, a report has been submitted by the Trial Court concerned on 3.12.2025. As per the said report, one witness has been examined and his cross-examination is going on, as such, there is no likelihood of early conclusion of trial in near future.

8. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, evidence on record, pending trial and in the light of the judgement passed by this Court in *Nanha S/o Nabhan Kha vs. State of U.P., 1993 Cr.L.J. 938* and the judgement passed by the Supreme Court in *Paras Ram Vishnoi vs. The Director, Central Bureau of Investigation, MANU/SCOR/22410/2021* coupled with the judgement of Supreme Court passed in *Satender Kumar Antil vs. Central Bureau of Investigation and another* reported in *(2022) 10 SCC 51*, without expressing any opinion on the merits of the case, the Court is of the view that the applicant being a lady, is entitled to be released on bail in this case. The bail application is **allowed** on the ground of parity.

9. Let the applicant- **Smt Madhuri**, 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.

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

11. 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.

January 14, 2026
Siddhant

(Krishan Pahal,J.)