



2026:AHC:16098

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2347 of 2026

Bablu @ Pawan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Shams Uz Zaman
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Shams Uz Zaman, learned counsel for the applicant, Sri D.K. Singh, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 501 of 2025, under Section 103(1) BNS, Police Station Badout, District Baghpat, during the pendency of trial.
4. As per prosecution story, the deceased and the applicant were spouse and both of them were drinking in the night of 9.8.2025 and entered into a quarrel, whereby the applicant is stated to have assaulted the deceased person with danda. The deceased also assaulted him with danda in reaction. Subsequently, the applicant is stated to have pushed her striking her head to the wall. The deceased and the applicant are stated to have gone to sleep and the fact that the deceased had expired came to the knowledge of the applicant and other family members in the morning.
5. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The FIR is delayed as it was instituted on 10.8.2025 at about 7.25 am and there is no explanation of the said delay caused.
6. Learned counsel for the applicant has further argued that the allegations are *per se* false. The case seems to be of sudden provocation, as it is

admitted to the prosecution that both the persons were in an inebriated state, as such, the applicant is entitled for bail. It is true that the deceased has sustained several injuries but only one injury proved to be fatal to her, which is on her cranium.

7. There is no criminal history of the applicant. The applicant is languishing in jail since 14.8.2025 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

8. Learned A.G.A. has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

9. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the fact that the case is of sudden provocation and both the persons were in an inebriated state, without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

10. Let the applicant- **Bablu @ Pawan**, who is involved in aforementioned case 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 subject to following conditions. Further, before issuing the release order, the sureties be verified.

- (i) The applicant shall not tamper with evidence during trial.
- (ii) The applicant shall not pressurise/intimidate with the prosecution witnesses.
- (iii) The applicant shall 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 22, 2026Shalini