



2026:AHC:54698

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 4414 of 2026

Ramkishor

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Gyan Singh, Sudhir Kumar Rai, Sukhvir Singh
Counsel for Opposite Party(s)	: G.A., Ram Sanahi Yadav

Court No. - 67

HON'BLE SAMEER JAIN, J.

1. Counter affidavit filed by the State is taken on record.
2. Heard Sri Sukhvir Singh, learned counsel for the applicant, Ms. Tanya Yadav, Advocate holding brief of Sri Ram Sheni Yadav, learned counsel for the informant and Sri Rajnikant Rai, learned AGA for the State.
3. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 403 of 2025, under Sections 85, 80(2) of BNS, and Section 3/4 DP Act, Police Station Jalesar, District Etah, during pendency of the trial.
4. Learned counsel for the applicant submits, however applicant is husband of the deceased but on the basis of false allegation he has been made accused in the present matter.
5. He next submits, actually even after more than five and a half years of her marriage deceased could not conceive, and she had become fedup with the tones of the neighbours and family members. Therefore, she was in deep depression, and only due to this reason she committed suicide by hanging. He further submits, postmortem report also suggests, deceased died due to hanging.
6. He further argued, applicant is not having any other criminal history and in the present matter, he is in jail since 27.09.2025 i.e. for last more than six months.
7. Per contra, learned AGA as well as learned counsel for the informant opposed the prayer for bail and submits that applicant is the husband of the

deceased and his wife died within seven years of her marriage under abnormal circumstances in her matrimonial home and there is also allegation of torture in connection to demand of four wheeler, but they could not dispute the fact that deceased died due to hanging. They also could not dispute the fact that even after more than five and a half years of her marriage deceased could not be conceive and applicant is not having any criminal history and he is in jail since last more than six months.

8. I have heard learned counsel for the parties and perused the record of the case.

9. However, applicant is husband of the deceased and his wife died within seven years of her marriage under abnormal circumstances in her matrimonial home and there is also allegation of torture for demand of a four wheeler, but postmortem report suggests, deceased died due to hanging and therefore, possibility of suicide committed by deceased cannot be ruled out at this stage.

10. Further, considering the fact that deceased died after five and a half years of marriage, the reason of suicide disclosed by applicant in the instant bail application cannot be completely ruled out at this stage.

11. Further, applicant is not having any criminal history in the present matter, he is in jail since 27.09.2025 i.e. for last almost six months.

12. Further, law is settled that unless proven guilty an accused is deemed to be innocent and bail application should not be dismissed either for punitive or preventive purpose.

13. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicant is entitled to be released on bail.

14. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

15. Let the applicant - **Ramkishor** be released on bail in the aforesaid case on 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 appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make 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 any police officer or tamper

with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

16. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

17. 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.

March 17, 2026

Ashish/-

(Sameer Jain,J.)