



2026:AHC-LKO:20136

**HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW**

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.  
- 235 of 2026**

Ramawadh @ Ram Avadh

.....Applicant(s)

Versus

State Of U.P. Thru. Secy. Home Lko. And 2 Others

.....Opposite Party(s)

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|-------------------------------|---|--------------------------------|
| Counsel for Applicant(s)      | : | Amit Ranjan Mishra             |
| Counsel for Opposite Party(s) | : | G.A., Dheerendra Kr. Agnihotri |

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**Court No. - 13**

**HON'BLE SAURABH LAVANIA, J.**

1. Heard the learned counsel for the applicant, the learned AGA for the State of U.P. and perused the material placed on record.
2. The present anticipatory bail application has been filed by the applicant in relation to FIR/Case Crime No.0825/2025, under Section 105 of BNS, Police Station - Mohammadi, District - Lakhimpur Kheri.
3. Vide order dated 09.02.2026, this Court had protected the interest of the applicant. The order dated 09.02.2026, referred, reads as under:-

*"1. Heard Shri Amit Ranjan Mishra, learned counsel for the applicant, Shri S.P. Tiwari, learned AGA for the State and perused the record.*

*2. The present anticipatory bail application has been filed by the applicant in relation to FIR/Case Crime No.0825/2025, under Section 105 of BNS, Police Station - Mohammadi, District - Lakhimpur Kheri.*

*3. For the purposes of entertaining the present application and for granting interim protection to the applicant, this Court considered the following facts :*

- (i) The applicant is innocent and he has falsely been implicated in the present case;*
- (ii) The marriage of the co-accused Mangesha, who is in jail, was solemnized with Ramjeet (deceased);*
- (iii) The deceased Ramjeet died on 30th September, 2025 in his own house;*
- (iv) The death of the deceased Ramjeet was unnatural, therefore, the process of inquest was completed on 30th September, 2025;*
- (v) In the Inquest Report no allegation was leveled by the witnesses of inquest against the applicant;*
- (vi) The presumption as indicated in Section 109 of Bhartiya Sakshya Adhiniyam, 2023 [akin to Section 106 of Evidence Act (now repealed)] is against co-accused Mangesha who is already in jail;*
- (vii) The post mortem report as pointed out by learned A.G.A. Shri S.P. Tiwari indicates that the cause of death is head injury sustained by the deceased on his head, which according to the applicant could be caused even due to falling on the hard surface/hard*

*and blunt object including the hard surface made of bricks/stones;*

*(viii) The F.I.R. was lodged on 29.11.2025, after the delay of about 02 months from the date of incident i.e. 30.09.2025;*

*(ix) The statement(s) of witnesses namely Avanish S/o Shiv Narayan and Ajay S/o Ram Nath were recorded on the month of December, 2025 on 03.12.2025 which delay is fatal to the story of the prosecution; and*

*(x) The informant is not the eye witness of the incident and in the F.I.R. the source of information has not been indicated by the informant.*

*4. Upon due consideration of the aforesaid, this Court finds that the applicant is entitled to interim protection.*

*5. Taking note of the aforesaid, as an interim measure, it is provided that in the event of arrest, the accused-applicant - Ramawadh Alias Ram Avadh Alias Ram Awadh be released forthwith in the aforesaid case crime on anticipatory bail on his furnishing a personal of Rs.25,000/- and two sureties in the like amount to the satisfaction of Station House Officer of the Police Station/Court concerned, with the following conditions:-*

*(i) That the accused-applicant shall make himself available for interrogation by police authorities as and when required and will cooperate with the investigation;*

*(ii) That the accused-applicant shall not, directly or indirectly make any 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 to any police officer; and*

*(iii) That the accused-applicant shall not leave India without the previous permission of the Court.*

*6. Issue notice to the opposite party No.3 returnable at an early date. Steps to be taken within three working days.*

*7. List/put up this case on 24.02.2026, in top 20 cases along with service report.*

*8. In the meantime, learned A.G.A. shall file counter affidavit.*

*9. In addition to the above, let notice be also served upon the opposite party No. 3, complainant of Case Crime No.0825/2025, under Sections 105 of BNS, Police Station - Mohammadi, District - Lakhimpur Kheri through S.H.O. of the Police Station - Mohammadi, District - Kheri regarding the pendency of the present bail application and the date fixed in the case.*

*10. Learned AGA is directed to communicate this order to the SHO concerned forthwith and place the proof regarding the information given by the S.H.O. concerned to the opposite parties by way of an affidavit when the case is listed next."*

4. The learned counsel appearing for the prosecution could not demonstrate from the record that there is any adversarial fact which are pleaded in the bail application. This Court finds that the applicant was enlarged on anticipatory bail after considering the merits of the case. The learned counsel for the prosecution also could not point out any fact based upon which it can be inferred that the applicant has not cooperated with the investigation proceedings or otherwise any glaring fact which can adversely affect the merit of the case.

5. In view of the aforesaid, the present anticipatory bail application is hereby **allowed** while extending anticipatory bail to the applicant-**Ramawadh @ Ram Avadh** till disposal of the trial subject to the following conditions:-

(i) that the applicant shall make himself available for interrogation by a police officer as and when required;

(ii) that the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(iii) that the applicant shall not leave India without the previous permission of the court;

(iv) that the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted; and

(v) that the applicant shall not pressurize/intimidate the prosecution witness.

6. In case of default, it would be open for the Investigating Agency to move application for vacation of this order.

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**(Saurabh Lavania,J.)**

**March 19, 2026**  
Preeti