



2026:AHC:7485

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 25493 of 2025

Laxmi

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ashok Kumar Chaudhary, Rajeev Tiwari
Counsel for Opposite Party(s) : G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Supplementary affidavit and rejoinder affidavit filed today are taken on record.
2. Heard Sri Anurag Dubey, Advocate holding brief of Sri Rajeev Tiwari, learned counsel for the applicant, Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.149 of 2025, under Section 103(1) B.N.S., Police Station Kotwali, District Basti, during the pendency of trial.
4. As per prosecution story, the sister of the informant starting living as live-in partner to the co-accused person Nohar Chaudhary and peeved by the said act, the applicant, who happens to be the daughter of co-accused Nohar Chaudhary, and her mother Vidyawati @ Santola hatched a conspiracy and committed the murder of the sister of the informant on 25.04.2025.
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 no time of offence is mentioned in it. The dead body was found in the hospital, whereby the dead body was taken to the hospital by the father of the applicant Nohar Chaudhary only. The applicant is a married lady and as such had no stake in the house. She has nothing to do with the division of any property whatsoever.
6. Learned counsel for the applicant has further argued that it is true that that

subsequently the other sister of the applicant Pooja has been roped in and she is stated to have told that the applicant alongwith Vidyawati @ Santola and Nohar Chaudhary had hatched the conspiracy to commit the said offence, but the said allegations are false. There is no criminal history of the applicant. The applicant is languishing in jail since 25.04.2025 and she is ready to cooperate with trial. In case, the applicant is released on bail, she will not misuse the liberty of bail.

7. Learned A.G.A has vehemently opposed the bail application on the ground that it is true that the applicant was a married lady, but her real sister is deposing against her, as such, she is not entitled for bail.

8. 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 applicant is a married lady and lives separately to the other family members, and 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**.

9. Let the applicant- **Laxmi**, 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 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.

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.

(Krishan Pahal,J.)

January 12, 2026
(Ravi Kant)