



2026:AHC:55030

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 9123 of 2026

Imran

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Prashant Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Vakalatnama, filed by Sri Brijesh Kumar Yadav, Advocate on behalf of the informant, is taken on record.
2. Heard learned counsel for the applicant, Sri N.K. Sharma, learned A.G.A. for the State and Sri Brijesh Kumar Yadav, counsel for the informant. Perused the record.
3. The present bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 493 of 2025, under Section 108 B.N.S., Police Station- Mawana, District- Meerut during pendency of the trial.
4. Counsel for the applicant submits that the applicant is the father-in-law of the deceased and has been falsely implicated in the present case. The incident is alleged to have occurred on 11.12.2025. The first information report was lodged on 13.12.2025. The delay is fatal to the prosecution case. According to the postmortem report, cause of death is asphyxia as a result of antemortem hanging. It is next contended that as per the allegations in the first information report and the material collected during the course of the investigation, the necessary ingredients to constitute the offence under Section

108 B.N.S., are not made out against the applicant. The applicant, in no manner, abetted the commission of suicide by the deceased. In support of his submission, counsel for the applicant has placed reliance on the judgements of the Hon'ble Supreme Court in the cases of **Nipun Aneja and others vs. State of Uttar Pradesh (Criminal Appeal No. 654 of 2017)** decided on **03.10.2024** and **Abhinav Mohan Delkar vs. The State of Maharashtra and other (Criminal Appeal Nos. 2177-2185 of 2024)** decided on **18.8.2025**. The applicant is in jail since 26.1.2026 having no criminal history. Investigation has been completed and charge-sheet has been filed. In case he is enlarged on bail, he will not misuse the said liberty.

5. Learned AGA for the State and counsel for the informant have opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

6. Having heard counsel for the parties and having perused the record, this Court prima facie finds that the first information report was lodged belatedly. According to the postmortem report, cause of death is asphyxia as a result of antemortem hanging. As per the allegations in the first information report and the material collected during the course of the investigation, the necessary ingredients to constitute the offence under Section 108 B.N.S., are not made out against the applicant. The applicant has no criminal antecedents. Further the applicant has presently remained confined for more than one month and there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or intimidate the witness, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

7. Let the applicant, Imran involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each of the like amount to the satisfaction of court

concerned on the following conditions that:

- i. the applicant shall not tamper with the prosecution evidence;
- ii. the applicant shall not pressurize the prosecution witness;
- iii. the applicant shall appear on each and every date fixed by the trial court.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

March 18, 2026
S.S.

(Vivek Varma,J.)