



2026:AHC:67240

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 9189 of 2026

Jainab Khatoon

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Deeksha Gupta, Siddharth Srivastava
Counsel for Opposite Party(s) : G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Copy of the statement of Dr. Hammir Singh, produced by learned brief holder for the State, is taken on record.
2. Heard learned counsel for the applicant and Sri Nagendra Kumar Mishra, learned brief holder for the State-respondent.
3. The present bail application under Section 483 BNSS has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 18 of 2026, under Sections 3(5), 115(2), 105, 109(1), 351(3), 131 BNS, Police Station Mubarakpur, District Azamgarh during the pendency of trial.
4. Counsel for the applicant submits that the applicant has been falsely implicated in the present case. As per the first information report, the applicant along with seven accused is alleged to have assaulted the sister and brother-in-law of the informant. The brother-in-law of the informant Mohd. Tahir succumbed to the injuries. As per the postmortem report, the deceased sustained eight injuries. Seven injuries were contusion, whereas injury no.5 was lacerated wound on left leg. In the opinion of the doctor the cause of death is hemorrhagic shock due to ante-mortem injuries. It is contended that the nature of injuries sustained by the deceased is not likely to cause death. Dr. Hammir Singh, who conducted postmortem, in his statement under Section 180 BNSS also stated that except injury no.5 which was lacerated wound, all the injuries were contusion. It is next contended that vague and general allegations have been levelled against the applicant. The applicant

was not nominated as the principal offender, who caused the injuries to the deceased. The applicant is in jail since 15.01.2026 having no criminal history and in case she is enlarged on bail, she will not misuse the said liberty.

5. Learned AGA 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 as per the first information report, the applicant along with seven accused is alleged to have assaulted the sister and brother-in-law of the informant. The brother-in-law of the informant Mohd. Tahir succumbed to the injuries. As per the postmortem report, the deceased sustained eight injuries. Seven injuries were contusion, whereas injury no.5 was lacerated wound on left leg. In the opinion of the doctor the cause of death is hemorrhagic shock due to ante-mortem injuries. Dr. Hammir Singh, who conducted postmortem, in his statement under Section 180 BNSS also stated that except injury no.5 which was lacerated wound, all the injuries were contusion. Vague and general allegations have been levelled against the applicant. The applicant is a lady and has no criminal antecedents. Moreover, the applicant has remained confined for more than two months and after submission of charge sheet 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 delay the trial 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 **Jainab Khatoon**, involved in the aforesaid case 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 the conditions that he:

- (i) shall appear on the date fixed by the trial court;
- (ii) shall not tamper with the prosecution evidence; and,
- (iii) shall not pressurize the prosecution witnesses.

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.

(Vivek Varma,J.)

March 31, 2026

Lbm/-