



2026:AHC:55036

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2614 of 2026**

Smt Komal

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Anil Kumar Dubey, Ram Milan
Dwivedi

Counsel for Opposite Party(s) : G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State as well as perused the record.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 206 of 2022, under Section 306 IPC, Police Station- Pahari, District Chitrakoot, with a prayer to enlarge her on anticipatory bail.

3. Learned counsel for the applicant states that the applicant has been falsely implicated in the present case. She seeks anticipatory bail on the following grounds:-

(i) The incident is said to have been occurred on 13.09.2021 and the FIR came to be lodged on the basis of an application under Section 156(3) Cr.P.C. on 30.12.2022.

(ii) The applicant is the elder sister of the wife of the deceased.

(iii) The deceased had committed suicide by consuming poison.

(iv) The applicant had no role to play in the abetment of the suicide of the deceased.

(v) The applicant has no criminal antecedents, a chargesheet has now been submitted and the applicant is no longer required for any custodial

interrogation.

(vi) The applicant is a married woman residing separately with her husband and has no concern with the day to day affair of her sister (wife of the deceased).

4. Learned AGA has opposed the prayer for bail and submitted that the applicant is the nominated accused in the FIR. Specific allegations have been levelled against the applicant in the application under Section 156(3) Cr.P.C. A flash drive containing the video recorded by the deceased prior to his death has been provided by the informant. The applicant's complicity in the crime has been substantiated during police investigation and no indulgence may be granted to her.

5. I have heard the submissions made by the Learned counsels for the parties.

6. The FIR was lodged on 30.12.2022 on the basis of an application under Section 156(3) Cr.P.C. for offences under Section 302 and 328 IPC. The police investigation has concluded and an offence under Section 306 IPC has been found to have been committed by the applicant and the other accused. The prosecution case now is of the applicant abetting the suicide of the deceased alongwith other accused. The transcript of the flash drive has not yet been prepared and it has been stated by the Learned AGA that the said video is sealed and has not been opened. The postmortem report does not indicate any external injury and the viscera report indicates that the deceased may have ingested aluminium phosphide.

7. From the perusal of the material collected during investigation, it appears that there was no eye witness of the incident. The applicant was granted interim protection by this Court in Criminal Misc. Writ Petition No.15844/2024 vide order dated 06.09.2024. The said protection was to continue till filing of a police report.

8. Considering all the above mentioned facts and circumstances and also the fact that the applicant is a lady, this Court deems it appropriate to grant anticipatory bail to the applicant.

9. In view of the above, the anticipatory bail application of the applicant is ***allowed***.

10. In the event of the arrest of the applicant- **Smt. Komal**, she shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned with the following conditions:-

- i. the applicant shall make herself 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 her from disclosing such facts to the Court or to any police officer;
- iii. that the applicant shall not leave India without the previous permission of the Court;
- iv. that the applicant shall not pressurize/intimidate the prosecution witness;

11. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

12. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

March 18, 2026

A. Pandey