



2026:AHC:55520

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S
482 BNSS No. - 2633 of 2026**

Awadhesh @ Awadhlal @ Kamleshwar
Prasad And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Shri Prakash Dwivedi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 65

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Supplementary affidavit filed today in the Court, is taken on record. Heard learned counsel for the applicants, Sri Chandan Singh, learned A.G.A. for the State and perused the record.

2. The applicants namely **Awadhesh @ Awadhlal @ Kamleshwar Prasad and Sarya Devi** moved the instant anticipatory bail application seeking anticipatory bail in Case Crime No. 73 of 2025, under Sections 85, 80(2) B.N.S., and Section 3/4 of Dowry Prohibition Act, Police Station Dramandganj, District Mirzapur with the prayer that in the event of arrest, applicants may be released on bail.

3. Learned counsel for the applicants has contended that the applicant no.1 is the father-in-law, whereas the applicant no.2 is the mother-in-law of the deceased, the applicants apprehends their arrest and as such the applicants had filed Criminal Misc. Anticipatory Bail Application U/s 482 BNSS No.5690 of 2025 (Awadhesh @ Awadh Lal @ Kamleshwar and another Vs. State of U.P.), which was allowed vide order dated 18.07.2025 by which, the applicants were granted anticipatory bail till submission of police report. Thereafter the investigation was culminated in submission of charge sheet and now the present anticipatory bail application has been filed after submission of

charge sheet. Learned counsel for the applicants submits that the applicants have been falsely implicated in the instant case. The applicants are father-in-law and mother-in-law of the deceased. The applicants never demanded dowry or did they torture the deceased. In fact, the applicants never interfered in the domestic life of the deceased and her husband. The applicants are bereaved by the death of his daughter-in-law and prays for peace of the departed soul. However, for the purpose of the anticipatory bail application, it is submitted that the deceased was a temperamental lady who was prone to extreme reactions even on trivial issues. On the fateful day apparently after minor disagreement with her husband, the deceased committed suicide in a fit of rage by hanging herself. The cause of death recorded in the post mortem report is asphyxia due to ante mortem hanging. Learned counsel further argued that the applicants may be arrested in the above-mentioned case, inspite of the fact that there is no credible evidence against them, yet the investigation officer submitted the charge in per-functionary manner without any cogent evidence against them. It has further been submitted that applicants undertakes to co-operate during trial and they would appear as and when required by the investigating agency or Court. It has been stated that in case, the applicants are granted anticipatory bail, they shall not misuse the liberty of bail and will co-operate with the investigation and would abide all conditions of bail.

4. Learned A.G.A. has opposed the application for anticipatory bail.

5. Perusal of the record shows that specific allegation has been levelled against the applicants in commission of offence. The investigating officer, during the course of investigation has collected credible evidence against the applicants and their complicity in commission of offence is supported by oral as well as documentary evidence. Furthermore, the Hon'ble Apex Court has held in the case of **Siddharam Satlingappa Mhetre v. State of Maharashtra**, (2011) 1 SCC 694, that while

deciding anticipatory bail, Court must consider nature and gravity of accusation, antecedent of accused, possibility of accused to flee from justice and that Court must evaluate entire available material against the accused carefully and that the exact role of the accused has also to be taken into consideration.

6. In the instant case, considering the settled principle of law regarding anticipatory bail, submissions of the learned counsel for the parties, nature of accusation, role of applicant and all attending facts and circumstances of the case, without expressing any opinion on merit of the case, no case for anticipatory bail is made out.

7. Accordingly, the anticipatory bail application is rejected.

(Dr. Gautam Chowdhary,J.)

March 18, 2026

S.Ali