



2026:AHC:54078

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2541 of 2026**

Bharti

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Rakesh Kumar Srivastava
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.847 of 2025, under Section 108 BNS, Police Station- Bistrakh, District Gautam Budh Nagar, with a prayer to enlarge her on anticipatory bail, during the pendency of trial.
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 applicant is the wife of the deceased.
 - (ii) The deceased had committed suicide and had left behind a suicide note and a perusal of the suicide note would indicate that there is no abetment.
 - (iii) The applicant has three minor daughters, including an infant daughter, who was born in August 2025.
 - (iv) The applicant has no criminal antecedents.
 - (v) The FIR is delayed by 23 days.

4. Learned AGA has opposed the prayer for bail and has submitted that the applicant, being the wife of the deceased, was primarily responsible for his care. She, alongwith her other family members, harassed the deceased and also extorted money from him. Earlier, also an FIR was lodged against the deceased by the applicant, which was later on compromised. This shows a continuous pattern of harassment of the deceased at the hands of the applicant and as such, no indulgence may be granted to the applicant.

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

6. The applicant, who is the wife of the deceased, is said to have abetted his suicide. The suicide note, which has been appended as Annexure No.3 to the affidavit, in the prima facie opinion of the Court, does not make out a case for abetment of suicide. There appears to be a dispute between the husband and wife and due to this dispute, the wife (the applicant) had left her matrimonial home. The deceased appears to have committed suicide after his wife had left the matrimonial home. The applicant has the care of three daughters including one infant child, who is not even one year of age. The applicant has no criminal antecedents.

7. Considering all these above-mentioned facts, I deem it appropriate to enlarge the applicant on anticipatory bail.

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

9. In the event of the arrest of the applicant-**Bharti**, 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;

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

11. 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 17, 2026

A. Pandey