



2026:AHC-LKO:20742

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 2075 of 2026

Suresh

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Alok Singh, Harish Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 13

HON'BLE MANISH KUMAR, J.

1. Heard learned counsel for the applicant and learned AGA for the State.
2. By means of this application preferred under Section 483 BNSS, the applicant, who is involved in Case Crime No. 744 of 2012, under Sections 498A, 304B, 201 IPC and Section 3/4 of Dowry Prohibition Act, Police Station-Kadipur, District Sultanpur is seeking enlargement on bail during the trial.
3. Brief facts of the present case are that an FIR dated 20.09.2012 has been lodged under Sections 498A, 304B, 201 IPC and Section 3/4 of Dowry Prohibition Act against four named accused persons including the present applicant alleging therein that the daughter of the informant who was married to co-accused Mahesh was harassed by the accused persons for dowry demand which resulted to her killing.
4. Learned counsel for the applicant has submitted that during the investigation, nothing was found against the applicant so his name was dropped at the time of filing of the charge-sheet. The informant had moved an application under Section 319 Cr.P.C. thereafter, applicant was summoned.
5. It is further submitted that the applicant has nothing to do with the said offence as he lives at Saray Rani, Police Station Kotwali Kadipur, District Sultanpur whereas the deceased at the time of her death was at Jalandhar and as she died natural death, no post mortem of the body of the deceased was performed at Jalandhar.
6. It is further submitted that there is general allegation against all the family members i.e. the husband, the applicant, who is Jeth, father in law and mother in law. All other co-accused persons i.e. the husband, mother in law and father in law of the deceased have been granted bail by a co-ordinate Bench of this Court and the copy of the bail orders have been annexed as Annexure Nos. 4, 5 & 6 to the paper book. The case of the applicant is squarely covered with the case of Magghu and Shyama Devi, who are father in law and mother in law of

the deceased respectively.

7. It is further submitted that the charge-sheet has been filed only against the husband and against the applicant, his mother and father i.e. mother in law and father in law of the deceased were dropped, an application under Section 319 of Cr.P.C. was moved and trial court without considering the settled law on the point that more than prima facie case is required to summon the accused to face trial along with the existing accused persons, applicant has been summoned. The applicant has no criminal history and he is in jail since 29.01.2026.

8. Learned AGA on the basis of instructions received opposes the prayer for bail but could not confront the factual submissions made by learned counsel for the accused applicant and also unable to oppose the parity claimed by the applicant with the bail granted to Magghu and Shyama Devi by a co-ordinate Bench of this Court.

9. After hearing learned counsel for the respective parties and going through the record of the case, prima facie, it is found that the deceased died at Jalandhar, the certificate issued by the authorities at Jalandhar. The applicant is said to be residing at village as mentioned above and he was in his village at the time of death at Jalandhar. The other co-accused persons including the husband has been granted bail by this Court and the parity of which is not disputed by learned AGA.

10. Prima facie, it is found that it is a fit case for grant of bail to Suresh. Accordingly, the instant bail application is allowed.

11. Let the applicant- Suresh be released on bail in the aforesaid case crime number on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant will cooperate with the prosecution during trial.

(ii) The applicant will not tamper with the evidence during trial.

(iii) The applicant will not pressurize/intimidate the prosecution witness(es).

(iv) The applicant shall not commit an offence.

(v) 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 him from disclosing such facts to the court or to any police officer or tamper with the evidence.

(vi) The applicant shall remain present before the trial court on each date fixed, either personally or through counsel.

(vii) The applicant will not seek any adjournment on the dates fixed for evidence when the witnesses are present in court.

(viii) The applicant shall remain present, in person, before the trial court on the dates fixed for recording of statement under Section 313 Cr.P.C.

12. In case of default of above conditions it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

13. As this order relates to enlargement of the applicant on bail, it is clarified that observations made in this order shall have no bearing on the merits of the case and the trial court shall not be influenced by any observations made in this order.

March 23, 2026
Nitesh

(Manish Kumar,J.)