



2026:AHC-LKO:22434

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 2284 of 2026

Radha Devi

.....Applicant(s)

Versus

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

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Upendra Prakash Pathak
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, the applicant, who is involved in Case Crime No.364/2025, Under Section 85, 80(2), 352 BNS and Section 3/4 D.P. Act, Police Station - Kothi, District - Barabanki, is seeking enlargement on bail during the trial.
3. The brief facts of the case are that the F.I.R. dated 13.12.2025 has been lodged under Section 85, 80(2), 352 BNS against three named accused persons including the present applicant, who is mother-in-law of the deceased, alleging therein that the sister of the informant had married to co-accused Ranjeet i.e. the son of the applicant, two years ago. For last two months all the accused persons were harassing and demanding a Splendor motorcycle. On 13.12.2025 at 1.00 PM informant received a phone call from his Jija i.e. co-accused Ranjeet, who informed that his sister committed suicide. When he reached there, he saw that his sister was lying on floor and there are several injuries on her body. Secretly some villagers had told him that after killing his sister the accused person hanged her.
4. Learned counsel for the applicant has submitted that the applicant and other co-accused persons have falsely been implicated in the present case and this facts could be seen from the story given in the F.I.R. i.e. it is an admitted case that the marriage was solemnized two years ago and the alleged demand was made two months prior to the incident.
5. It is further submitted that the story in the F.I.R. and the statement of the informant does not corroborate with the post-mortem report for the reason that as per the F.I.R. and the statement, there are several injuries

on the body of the deceased, whereas not even a single injury was found on the body of the deceased and the cause of death shown in the medical report is anti-mortem hanging.

6. It is further submitted that it is general allegation against all the family members and Hon'ble Supreme Court in the case of **Geeta Mehrotra and Anr. vs. State of U.P. and Anr.** reported in (2012)10 SCC 741, **Kahkashan Kaushar @ Sonam and others vs. State of Bihar and others** reported in (2022) 6 SCC 599, and **Chabi Karmakar and Ors. vs. State of West Bengal**, reported in 2025(1) SCC (Cri) 469, has held that the mere casual reference of the names of the family members in a matrimonial dispute without allegation of active involvement in the matter would not justify taking cognizance against them overlooking the tendency of over implication, so far as family members of the husband on the ground that the allegations against them are general and omnibus in nature, the proceedings should be quashed.

7. It is further submitted that the applicant has no previous criminal history and she is being mother-in-law of the deceased has falsely been implicated in the present case. She is in jail since 15.12.2025.

8. On the other hand learned A.G.A. has vehemently opposed the bail prayer and on the basis of instruction received has submitted that there is a case of dowry demand against the applicant but he is unable to dispute the submission raised by the learned counsel for applicant.

9. After hearing learned counsel for the parties and going through the record of the case, prima facie, it is found that the allegation made against all the family members are vague, general and omnibus in nature and the ocular evidence regarding several injuries as alleged by the informant does not corroborate with the post-mortem report i.e. the medical report wherein no injury was found on the dead body; it is also to be noted that the alleged dowry demand was near about two years of marriage, prima facie, it is a fit case in which the applicant may be enlarged on bail.

10. Accordingly, the present bail application is **allowed**.

11. Let the applicant **Radha Devi** be released on bail in the aforesaid case crime number on 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/ her 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.

(Manish Kumar,J.)

March 31, 2026

S. Kumar