



2026:AHC:18238

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 29459 of 2025

Shiwani Devi Pandey

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Kundan Rai, Shashank Kumar Pandey,
Syed Taj Mohammad Rizvi
Counsel for Opposite Party(s) : G.A., Muktesh Kumar Singh

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Learned counsel for the informant is not present.
2. Heard Sri Syed Taj Mohammad Rizvi, learned counsel for the applicant, Sri Abhishek Mishra, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.19 of 2025, under Sections 103(1), 3(5) BNS, Police Station Sarai Memrez, Police Commissionerate, District Prayagraj, during the pendency of trial.
4. It is submitted by learned counsel for the applicant that similarly placed co-accused person, Ravi Chaurasia has already been enlarged on bail by the Co-ordinate Bench of this Court vide order dated 9.9.2025 passed in Criminal Misc. Bail Application No.23263 of 2025. There is no criminal history of the applicant. The applicant is languishing in jail since 8.2.2025. He further submitted that since the role of the applicant is identical to that of co-accused who has already been enlarged on bail, she is also entitled to be enlarged on bail on the ground of parity. In case, the applicant is released on bail, she will not misuse the liberty of bail.
5. The prayer for bail has been vehemently opposed by learned A.G.A. However, the aforesaid factual aspect of the parity to the co-accused has not been disputed by him.
6. Considering the facts and circumstances of the case, submissions made by

learned counsel for the parties, the evidence on record, pending trial and in light of the judgement passed by this Court in *Nanha S/o Nabhan Kha vs. State of U.P., 1993 Crl.L.J. 938* and the judgements passed by the Supreme Court in *Paras Ram Vishnoi vs. The Director, Central Bureau of Investigation, MANU/SCOR/22410/2021* and in *Satender Kumar Antil vs. Central Bureau of Investigation and Another, 2022 SCC OnLine SC 825*, and without expressing any opinion on the merits of the case, this Court is of the view that the applicant has made out a case for grant of bail on the ground of parity. The bail application is **allowed** on the ground of parity.

7. Let the applicant- **Shiwani Devi Pandey**, who is involved in aforementioned case crime be released on bail on her furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

- (i) The applicant shall not tamper with evidence during trial.
- (ii) The applicant shall not pressurize/intimidate with the prosecution witnesses.
- (iii) The applicant shall appear before the trial court on the date fixed.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

9. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

January 27, 2026
(Ravi Kant)