



2026:AHC:17619

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 1063 of 2026

Anuj Dubey

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

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

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Rajesh Dwivedi, learned counsel for the applicant and Sri Sunil Kumar, learned A.G.A. for the State and also perused the material placed on record.
3. Applicant seeks bail in **Case Crime No. 136 of 2025, under Section 103(1) of BNS, Police Station - Chaubepur, District - Kanpur Nagar**, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is innocent and has been falsely implicated in the present case. He has nothing to do with the said offence as alleged in the FIR. He is not named in the FIR.
5. Learned counsel further submits that the name of the applicant has surfaced for the first time in the statement of informant recorded u/s 180 BNSS on the next day of the lodging of the FIR. Even in the said statement, the informant has assigned no direct role to the applicant and has merely made allegations on the basis of hearsay, claiming that he was told so by the minor children of the deceased, as such, the implication of the applicant is wholly based on indirect, unreliable, and uncorroborated information.
6. Learned counsel also submits that the applicant has been falsely implicated merely on the basis of an alleged illicit relationship with the deceased. The prosecution case itself indicates that the husband of the deceased, being aggrieved by the alleged relationship, had committed her murder.

7. Learned counsel has next contended that the applicant is languishing in jail since 14.05.2025, having no criminal history to his credit. In case, the applicant is released on bail, he will not misuse the liberty of bail and shall cooperate with trial.

8. Per contra, learned AGA has vehemently opposed the bail application but unable to dispute the submissions raised by the learned counsel for the applicant and also the fact that the applicant has no criminal history.

9. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, nature of offence, severity of punishment and also considering the fact that the applicant is not named in the FIR, his name has come up the next day of lodging of the FIR coupled by the fact that there is no direct evidence of applicant having committed the said offence, *prima facie* I find it a fit case to release the applicant on bail. The bail application is **allowed**.

10. Let the applicant- **Anuj Dubey**, who is involved in aforementioned case crime be released on bail on his 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 will not tamper with the evidence during trial.

ii) The applicant will not pressurise/intimidate with the prosecution witnesses.

iii) The applicant will appear before the trial court on the date fixed.

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

12. 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.

January 27, 2026
Siddhant

(Krishan Pahal,J.)