



2026:AHC:18472

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 2777 of 2026

Smt Pooja Devi

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Lal Prabhakar Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Chandrajeet Singh, learned Advocate holding brief for Sri Lal Prabhakar Singh, learned counsel for the applicant as well as Sri Sunil Kumar, learned A.G.A. for the State and perused the record.
3. Applicant seeks bail in Case Crime No.76 of 2025, under Sections 103(1), 238, 238Ka, 3(5) BNS, Police Station Kaila Devi, District Sambhal, during the pendency of trial.
4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case.
5. Learned counsel for the applicant has further argued that the applicant is not named in the FIR. Her name has come up in the confessional statement of the co-accused person, which has no evidentiary value in the eyes of law. The statement of the daughters of the deceased person indicates that the applicant carried some motive to commit the offence but motive alone cannot be the cause of offence, as such, the applicant is entitled for bail being a lady. There is no criminal history of the applicant. The applicant is languishing in jail since 12.5.2025 and she is ready to cooperate with trial. In case, the applicant is released on bail, she will not misuse the liberty of bail.
6. Learned A.G.A. has vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be

disputed.

7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the fact that the applicant is not named in the FIR and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

8. Let the applicant- **Smt Pooja Devi**, 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 pressurise/intimidate with the prosecution witnesses.
- (iii) The applicant shall appear before the trial court on the date fixed.

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

10. 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 28, 2026

Shalini