



2026:AHC:125245

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 17294 of 2026

Annu Tiwari

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Ajeet Kumar Singh
Counsel for Opposite Party(s)	: G.A.

Court No. - 5

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Ajeet Kumar Singh, learned counsel for the applicant, Sri Shashi Dhar Pandey, learned A.G.A. for the State and perused the record.
2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 353 of 2016 under Sections 147, 323, 504, 506, 306 IPC, Police Station Jhunsi, District Allahabad during the pendency of the trial.
3. Learned counsel for the applicant has submitted that the first informant did not name the applicant initially and the FIR has been lodged through an application under section 156(3) Cr.P.C. which was filed 23 days after the first information was given alleging therein that applicant who is wife of the deceased and other accused persons abetted the deceased to commit suicide. It is further submitted that a suicide note was also annexed with the application under section 156(3) Cr.P.C., however, FSL report of the handwriting of the deceased is based on a comparison with a private diary which was produced by the first informant in the year 2020 and the same has not been matched with the signatures of the deceased in any official paper, cheque book or any public document. It is further submitted that applicant has been arrested after ten years of the alleged incident and even on perusal of the suicide note, no offence of abetment is made out against her as no time and date of the alleged abetment has been mentioned in the suicide note and only general statement has been made. Learned counsel has also placed reliance on a judgment of the Hon'ble Supreme Court in the case of *Shenbagavalli vs. Inspector of Police, Kancheepuram District 2025 (3) JIC*

625 (SC) in which, it has been held that in order to constitute an offence of abetment, there must be proximate relationship between the suicide committed and the act abetted. The applicant has been languishing in jail since 12.4.2026 and in case, she is granted bail, she will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Per contra, learned A.G.A. has vehemently opposed the prayer for bail and submits that the deceased has specifically stated in the suicide note that applicant and her family members were responsible for his suicide.

5. Initially, first informant gave a report to the police that his son committed suicide and after 23 days of the said incident, an application under section 156(3) Cr.P.C. was filed alleging therein that applicant and other accused persons were involved in abetment of suicide of his son. FSL report of the handwriting of the deceased has been based on a comparison with a diary which was produced by the first informant in the year 2020 and the same has not been compared with any public document. On perusal of the suicide note, there is no mention of any time and date of the act of abetment committed and only general statement has been given. Applicant has been arrested after ten years of the alleged incident and she is in jail since 12.4.2026.

6. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of ***Kapil Wadhawan vs Central Bureau of Investigation*** reported in 2025 SCC OnLine SC 3038 as well as guideline of this Court in the case of ***Maya Tiwari Vs. State of U.P.*** reported in 2024 SCC Online All 6765 regarding grant of bail and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

7. Accordingly, the present application is **ALLOWED**.

8. Let the applicant **Annu Tiwari** involved in the aforementioned 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, with the following conditions:-

(i) 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.

(ii) The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.

(iii) The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

(iv) The applicant shall attend in accordance with the conditions of the bond executed by him.

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

10. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

11. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

12. Office is directed to send a copy of this order to the applicant through **concerned Jail Superintendent** via e-mail or e-prison portal within 24 hours in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021 decided on 31.01.2023** reported in (2024) 10 SCC 685.

June 4, 2026
Madhurima

(Jitendra Kumar Sinha,J.)