



2026:AHC:124733

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION
U/S 482 BNSS No. - 5422 of 2026

Chetna Devi And Another
.....Applicant(s)

Versus

State of U.P. and Another
.....Opposite
Party(s)

Counsel for Applicant(s) : Gyanendra Pratap Singh,
Manish Prajapati

Counsel for Opposite Party(s) : G.A.

Court No. - 5

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Gyanendra Pratap Singh, learned counsel for the applicants, Shri B.P. Singh, learned A.G.A. for the State and perused the record.

2. The present application has been moved seeking anticipatory bail in Case Crime No.117 of 2025, under Sections 108, 115(2), 351(2), 352 of B.N.S., Police Station Jafarganj, District Fatehpur, with the prayer that in the event of arrest, applicant may be released on bail.

3. It has been argued by the learned counsel for the applicants that applicants are innocent and they have been falsely implicated in this case. It is further submitted that FIR has been lodged after the delay of four days and deceased has died after delay of 9 days. It is further submitted that general allegations have been levelled against the applicants and other co-accused persons that they assaulted the deceased and due to this deceased committed suicide while she was saved by Rinku. However, deceased died during treatment in the hospital. It is further submitted that no case under Section 108 BNSS is made out against the applicants. It is also submitted that the applicants are having no criminal history. It was also submitted that applicants undertake to co-operate during trial and she would appear as and when required by the investigating agency or Court. It has been stated that in

case, applicants are granted anticipatory bail, she shall not misuse the liberty of bail and will co-operate with the investigation and would obey all conditions of bail.

4. On the other hand, learned A.G.A. has opposed the application for anticipatory bail and it has been submitted by him that applicants and co-accused assaulted the deceased in in-laws house and he felt humiliated after which he committed suicide but was saved by Rinku but during treatment deceased died.

5. As per the FIR, the general allegation levelled against the applicants and co-accused persons and FIR lodged after four days and deceased had died after nine days.

6. It may be stated that in case of **Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694**, it has been held by Hon'ble Supreme Court that while deciding anticipatory bail, Court must consider nature and gravity of accusation, antecedent of accused, possibility of accused to flee from justice and that Court must evaluate entire available material against the accused carefully and that the exact role of the accused has also to be taken into consideration.

7. In the instant case, considering the settled principle of law regarding anticipatory bail, submissions of the learned counsel for the parties, role of applicants and all attending facts and circumstances of the case, without expressing any opinion on merits, a case for anticipatory bail is made out.

8. The anticipatory bail application is **allowed**.

9. In the event of arrest of the applicants- **Chetna Devi and Chunki** involved in the aforesaid case crime shall be released on anticipatory bail on furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned, with the following conditions :-

(i) The applicants shall not tamper with evidence and that he would appear before the trial Court on the date fixed unless exempted by the Court concerned;

(ii) The applicants 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/them from disclosing

such facts to the Court or to any police officer;

(iii) The applicants would co-operate during trial and would not misuse the liberty of bail.

(iv) The applicants shall not leave India without prior permission of the Court concerned.

10. In default of any of the conditions, the prosecution shall be at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicants.

June 1, 2026
Imtiyaz

(Jitendra Kumar Sinha,J.)