



2026:AHC:129602

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 21101 of 2026

Smt. Omwati

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Rajendra Singh Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, Learned counsel for the applicant, 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.343 of 2026, under Sections 80(2), 85 B.N.S. and Section 3/4 of D.P. Act, Police Station- Dakshin, District- Firozabad.
3. The Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. The Learned counsel for the applicant contends that the applicant is the mother-in-law of the deceased. The applicant never made any demand of dowry or acted in a cruel manner against the deceased. The applicant who is an old woman is also a widow and lives separately from her three sons. The applicant has no criminal antecedents as stated in paragraph No.17 of the affidavit filed in support of the bail application. She is languishing in jail since 16.05.2026.
4. The Learned A.G.A., has opposed the prayer for grant of bail and has stated that he has not received instructions in the matter.
5. However, taking into account the fact that the applicant who is an old lady and is in jail since 16.05.2026 and is said to be a widow, this Court finds it appropriate to not defer the matter any further and has proceeded to decide the bail application on the basis of the material on the record.

6. I have considered the submissions made by the Learned counsels for the parties.

7. The deceased Devaki is said to have died as a result of ante-mortem hanging on 31.03.2026. The First Information Report has been lodged on 1.04.2026. A few abrasions have also been found on the body of the deceased, however, a perusal of the First Information Report does not show any specific allegations against the applicant. General allegations of demand of a four wheeler and money have been made in the First Information Report. The marriage of the applicant's son had been solemnized with the deceased in the year 2021. The applicant is a widow and claims to live separately from her 3 sons. Her case stands on a different footing from the co-accused Amit Kumar who is the husband of the deceased.

8. Taking into account all the facts and circumstances of the case, the period of detention of the applicant and also the fact that the applicant is a widow, a prima facie case for bail is made out.

9. The bail application is ***allowed***.

10. Let the accused-applicant- **Smt. Omwati**, involved in above mentioned case crime number be released on bail, on her executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

i. The applicant will not tamper with the evidence.

ii. The applicant will not indulge in any criminal activity.

iii. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.

iv. The applicant will appear regularly on each and every date fixed by the trial court, unless her personal appearance is exempted by the court concerned.

11. In the event of breach of any of the aforesaid conditions, the trial

Court will be at liberty to proceed to cancel her bail.

12. It is made clear that the applicant shall be released on the basis of computer generated copy of this order, downloaded from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within 15 days.

13. 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.

14. The observations made hereinabove are exclusively for deciding the instant bail application and are not to be considered to be an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

June 30, 2026

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