



2026:AHC:127634

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 19351 of 2026

Bhoora

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Anjali Sinha, Rajesh Kumar Dubey,
Satya Prakash Pandey
Counsel for Opposite Party(s) : G.A.

Court No. - 45

HON'BLE VIVEK KUMAR SINGH, J.

1. Heard learned counsel for the applicant and the learned A.G.A. for the State of U.P.
2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 257 of 2025, under Sections 80(2), 85 BNS and Section 3/4 of D.P. Act, Police Station Baldev, District Mathura.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The applicant is the father-in-law of the deceased. General allegation has been levelled against the applicant and other co-accused. All family members of the applicant's have been implicated in the present case. The alleged incident had taken place on 31.8.2025 but the first information report was lodged on 4.9.2025 after thought and consultation. The delay in lodging the first information report has not been properly explained by the prosecution. It is further submitted that the deceased was got admitted in the hospital on 31.8.2025 and the informant's family was duly informed by the husband of the deceased. The younger sister of the deceased was present in the house of the applicant and she levelled false allegation against the family members of the applicant. There is no dying declaration of the deceased and no other injury was noticed on the body of the deceased and the deceased consumed toilet cleaner / acid due to dispute between the deceased and her husband. The applicant is an old man and father-in-law of the deceased and he has been falsely implicated in the present case. No

complaint whatsoever has ever been made by the younger sister of the deceased, who is also daughter-in-law of the applicant. It is further submitted that the case of the applicant is distinguishable from the case of the husband of the deceased. There is no criminal history of the applicant. Learned counsel for applicant further submits that applicant has been languishing in jail since 31.10.2025 and in case, he is released on bail, he will not misuse the liberty of bail and will cooperate in trial.

4. Per contra, learned A.G.A. has opposed the prayer for grant of bail to the applicant and submitted that there is ample evidence against the applicant regarding his involvement in the offence, therefore, he is not entitled to be released on bail.

5. I have considered the rival submissions of the parties and perused the record.

6. The charge-sheet has already been submitted in present case but no charge has been framed against the applicant or any other co-accused.

7. Having considered the rival submissions advanced by learned counsel for the parties, the nature of accusations, the evidence brought on record, the period of incarceration undergone by the applicant, the absence of any criminal antecedents, and without expressing any opinion on the merits of the case, this Court finds that the applicant has made out a case for grant of bail.

8. Accordingly, the bail application is **allowed**.

9. Let the applicant-**Bhoora** who is involved in the 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 shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the Trial Court to treat it as abuse of liberty of bail and pass orders in

accordance with law.

(ii) The applicant shall remain present before the Trial Court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the Trial Court may proceed against him under Section 229-A IPC/ 269 B.N.S.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C./ 84 B.N.S.S., may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the Trial Court shall initiate proceedings against him, in accordance with law, under Section 174-A IPC/ 209 B.N.S.

(iv) The applicant shall remain present, in person, before the Trial Court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C./ 351 of B.N.S.S. If in the opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

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

11. 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.

(Vivek Kumar Singh,J.)

June 17, 2026

Lalit Shukla