



2026:AHC:126508

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 19362 of 2026

Mamta Mishra And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Dhirendra Pratap Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 6

HON'BLE MRS. VANI RANJAN AGRAWAL, J.

1. Heard Sri Dhirendra Pratap Singh, learned counsel for the applicants and learned A.G.A. for the State.
2. The instant application has been filed seeking release of the applicants on bail in Case Crime No. 675 of 2023, under Section 306 I.P.C., Police Station- Sahajanwa, District- Gorakhpur.
3. According to the prosecution case, on 01.12.2023, Ajayraj Tiwari was found hanging at his residence. After receiving the information, the police reached the spot and recovered four suicide notes from the possession of the deceased. In the suicide notes, the deceased allegedly held his stepmother, Maya Devi, and some other persons responsible for his death. It is alleged that due to mental harassment caused by the accused persons, the deceased committed suicide. On the basis of the written complaint and the suicide notes, the present case was registered against the accused persons.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. The deceased was the step-son of co-accused Maya Devi, who is the sister of applicant No. 1 and the mother-in-law of applicant No. 2. No overt act has been attributed to the applicants. It is further submitted that the applicants are only relatives of Maya Devi and are in no manner concerned with the family dispute between Maya Devi and the deceased. It is also submitted that there is no criminal history of the applicants. Learned counsel further

submits that the co-accused Maya Devi, who is named in the suicide note, has already been enlarged on bail, and another co-accused, Krishna Chandra Mishra, has also been released on bail by a coordinate Bench of this Court. Learned counsel for applicant submits that applicant is behind the bars since 25.04.2026 and in case, he is released on bail, he will not misuse the liberty of bail and will cooperate in trial..

5. Per contra, learned A.G.A. has opposed the prayer for bail.

6. 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 applicants, 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.

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

8. Let the applicants- **Mamta Mishra and Raghunayak Tiwari** who are involved in the aforementioned case crime be released on bail on their 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 applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the Trial Court on each date fixed, either personally or through their counsel. In case of his absence, without sufficient cause, the Trial Court may proceed against him under Section 229-A IPC.

(iii) In case, the applicants misuse the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C., 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.

(iv) The applicants 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. 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.

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 applicants shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Mrs. Vani Ranjan Agrawal,J.)

June 10, 2026

P. Pandey