



2026:AHC:62475

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482
BNSS No. - 10476 of 2025**

Shila And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Prateek Srivastava
Counsel for Opposite Party(s)	:	G.A., Udai Prakash Deo Pandey

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Rejoinder affidavit, filed today, is taken on the record.
2. Learned counsel for the applicants; and learned A.G.A. for the State are present.
3. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 500 of 2025, under Sections 85, 80(2) of the B.N.S., 2023, and Sections 3/4 of the Dowry Prohibition Act, Police Station – Robertsganj, District Sonbhadra, with a prayer to enlarge them on anticipatory bail, till the conclusion of the trial.
4. The learned counsel for the applicant states that the applicants have been falsely implicated in the present case. The applicants seek anticipatory bail on the following grounds :-
 - i. The applicants are the sister-in-law and brother-in-law (*Jethani & Jeth*) of the deceased.
 - ii. In the First Information Report (FIR), only general allegations of demand of dowry have been made; however, in statements of witnesses recorded under Section 161 Cr.P.C., the additional allegation regarding an alleged affair between the applicant No.1 and the husband of the deceased has been levelled.
 - iii. The co-accused, Santosh Maurya, husband of the deceased, has been granted regular bail by this Court vide order dated 13.03.2026 passed in Criminal Misc. Bail Application No.2481 of 2026. The other co-accused, Loknath and Urmila, being the father-in-law and mother-in-law of the deceased, have also been granted regular bail vide orders dated 12.08.2025

and 13.8.2025 passed in Criminal Misc. Bail Application Nos.27692 of 2025 and 27793 of 2025, respectively.

iv. The applicants have no criminal antecedents.

v. The case of the applicants stands on a similar footing to that of the co-accused.

vi. The applicants were granted interim protection from arrest in Criminal Misc. Writ Petition Nos.13537 of 2025 and 13583 of 2025, which remained operative till submission of the police report. The police report has now been submitted and the applicants are no longer required for custodial interrogation.

5. Sri Udai Prakash Deo Pandey, learned counsel appearing for the informant, has opposed the prayer for grant of anticipatory bail and contended that the applicants had earlier filed an application under Section 528 BNSS being Application No.34158 of 2025, which was withdrawn with the liberty to approach the Court concerned for bail. It is submitted that the applicants did not apply for bail within the period of 15 days as sought, and have instead filed the anticipatory bail application after a delay of 32 days. It is further contended that the applicants ought to have surrendered before the Court concerned and applied for regular bail, as earlier prayed. The learned counsel also submits that the case of the applicants is not at par with that of the co-accused, inasmuch as specific allegations of an affair with the husband of the deceased have been made against the applicant No.1.

6. Learned A.G.A. has supported the submissions advanced on behalf of the informant; however, he could not dispute the fact that the case of the applicants stands on a similar footing to that of the co-accused, who have been granted regular bail by this Court.

7. I have considered the submissions made by the learned counsel for the parties.

8. The applicants are the sister-in-law and brother-in-law of the deceased. No specific role has been assigned to them in the FIR. The allegation regarding applicant No.1 having an affair with the husband of the deceased, in the opinion of this Court, does not constitute cruelty or harassment in connection with demand of dowry so as to infer involvement in the alleged dowry death. The applicants are not reported to have any criminal antecedents. Similarly situated co-accused have already been granted bail. The charge-sheet has now been submitted and the applicants are no longer required for custodial interrogation.

9. Consideration the entire facts and circumstances of the case, as discussed above, this Court deems it appropriate to enlarge the applicants on anticipatory bail till the conclusion of the trial.

10. The anticipatory bail application of the applicant is **allowed**.

11. In the event of the arrest of the applicants- **Shila** and **Sanjay**, involved in the aforesaid case crime, they shall be released on anticipatory bail on their furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned, with the following conditions:-

- i. The applicants shall make themselves available for interrogation by a police officer as and when required;
- 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 from disclosing such facts to the Court or to any police officer;
- iii. The applicants shall not leave India without the previous permission of the Court;
- iv. The applicants shall not pressurize/intimidate the prosecution witness;

12. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

13. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

March 25, 2026
Kushal

(Rajiv Lochan Shukla,J.)