



2026:AHC:126651

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 12035 of 2026

Gyan Devi

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sunil Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 5

HON'BLE SANJIV KUMAR, J.

1. Heard Shri Sunil Kumar, learned counsel for the applicant, learned A.G.A for the State of U.P. and perused the record.
2. The present bail application has been filed on behalf of the applicant in Case Crime No.31 of 2026, under Sections 85, 80(2), 115(2), 351(3) BNS & Section 3/4 D.P. Act., Police Station - Dadon, District Aligarh, with the prayer to enlarge her on bail.
3. Learned counsel for the applicant submitted that the applicant is the mother-in-law of the deceased and is an innocent person and has been falsely implicated in the present case. He further submitted that the applicant has been in jail since 19.02.2026. He submitted that the marriage of the deceased was solemnized with co-accused Shyamveer in the year 2022. As per the allegations of the F.I.R. the accused persons started to torture the deceased for non-fulfillment of demand of dowry of Rs.5.00 lakhs and one motorcycle. It is further submitted that on 27.01.2026 at 11.00a.m. the first informant was informed about the death of the deceased. After the investigation, the charge sheet dated 03.03.2026 has been filed against Shyamveer (husband of the deceased), Kalyan Singh (father-in-law of the deceased) and Gyan Devi (mother-in-law of the deceased). It is further argued that on the application of the first informant, the F.I.R. of the present case was lodged with false allegations. There is an unexplained delay of three days in lodging of the F.I.R. It is submitted that the inquest of the daughter of the first informant had taken place on 27.01.2026 in which the first informant was present

and is the witness of the inquest. It is further submitted that as per the postmortem report, the deceased sustained ante-mortem ligature mark over her neck. The cause of death is asphyxia due to ante-mortem hanging. It is further submitted that if the accused persons had committed the murder of the deceased, she would have sustained some injuries. It is further submitted that in fact, the deceased committed suicide herself as her newly born second baby died about 15 days prior to the incident and her husband was doing job at the time of incident at Delhi who did not took her to Delhi though she wanted to go with her husband. Therefore, she committed suicide out of frustration. There is no specific role assigned to the applicant by the prosecution. In these circumstances, the applicant is entitled to be released on bail. In the event of being enlarged on bail, she shall not misuse the liberty of bail and shall cooperate with the trial proceedings.

4. Learned A.G.A. opposed the prayer for grant of bail to the applicant.

5. Considering the rival submissions of learned counsel for the applicant, learned A.G.A. and going through the contents of FIR as well as other relevant documents and keeping in view the nature of the offence, evidence, complicity of the accused, severity of punishment, submissions of the learned counsel for the parties and without expressing any opinion on the merits of the case, I am of the considered view that applicant has made out a case for bail. The bail application is allowed.

6. Let the applicant-**Gyan Devi**, who is involved in aforementioned case crime be released on bail on her furnishing a personal bond of Rs.1.00 lakh and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions.

(i) The applicant shall not commit or participate in any offence similar to the offence of which she is accused, or suspected, of the commission of which she is suspected.

(ii) The applicant 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 her from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(iii) The applicant shall file an undertaking to the effect that she 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.

(iv) The applicant shall remain present before the Trial Court on each date fixed, either personally or through her counsel. In case of her absence, without sufficient cause, the Trial Court may proceed against her under Section 229-A IPC (corresponding Section 269 BNS).

(v) In case, the applicant misuses the liberty of bail during trial and in order to secure her presence proclamation under Section 82 Cr.P.C. (corresponding Section 84 BNSS) 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 her, in accordance with law, under Section 174-A IPC (corresponding Section 209 BNS).

(vi) 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. (corresponding Section 351 BNSS). 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 her in accordance with law.

7. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail by the trial court.

(Sanjiv Kumar,J.)

June 10, 2026
VS