



2026:AHC-LKO:64004

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 7440 of 2026

Manoj Kumar Pal @ Manoj Pal

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Deptt. Of Home Lko

.....Opposite
Party(s)

Counsel for Applicant(s) : Abhishek Singh, Anuj Kumar Gupta,
Gautam Singh Yadav
Counsel for Opposite Party(s) : G.A., Lalu Prasad Bhatt, Narendra
Kumar Sharma, Romil Sagar

Court No. - 13

HON'BLE MANISH KUMAR, J.

1. Vakalatnama filed by Shri Romil Sagar Srivastava on behalf of the informant, which is taken on record.
2. Heard learned counsel for the applicant, learned counsel for the complainant and learned AGA for the State .
3. By means of this application, the applicant, who is involved in Crime No. 0134 of 2026, under Sections 85, 80(2) of the BNS (old Sections 498-A, 304-B IPC) and Section 3/4 of Dowry Prohibition Act, Police Station Bazarsukul, District- Amethi is seeking enlargement on bail during the trial.
4. Brief facts of the present case are that an FIR dated 05.06.2026 has been lodged by the complainant under Sections 85, 80(2), 115(2), 352 of the BNS (old Sections 498-A, 304-B IPC) and Section 3/4 of Dowry Prohibition Act against ten named accused persons i.e. the entire family members including the present applicant, who is husband of the deceased alleging therein that the marriage of the daughter of the informant was solemnized with named accused person - Manoj Pal on 13.07.2024. On 05.06.2026 at 09.50 AM, the brother in law (Dewar) of the deceased informed that the daughter of the informant is not well and they are taking her to the Government Hospital, thereafter, again the information was given on phone that the daughter of the informant had committed suicide. It is further alleged that from last one year, all the accused persons used to harass the daughter of the informant for more dowry. It is further alleged that the daughter of the informant was in her family way and she was pressurized by her husband to terminate pregnancy in which the elder sister's husband (the named accused person Hansraj Pal) and second Saddhu have conspired to kill the daughter of the informant.
5. Learned counsel for the applicant has submitted that the FIR has been lodged against the entire family by making bald, vague and omnibus allegations.
6. It is further submitted that the deceased had committed suicide which could be gathered from the post mortem report wherein the autopsy surgeon

has opined cause of death as 'asphyxia due to ante mortem hanging' and there is no injury found on the body of the deceased, except two ligature marks due to hanging. The second ligature mark is at distance of the first ligature mark therefore it cannot be said that soon before the death, the deceased was subjected to any cruelty or harassment. It is a case of suicide. At this juncture, he has placed reliance upon the judgment of Hon'ble Supreme Court in the case of **Mangat Ram Vs. State of Haryana** (2014) INSC 214 wherein it has been held that there are several cause or reasons for a woman to commit suicide.

7. It is further submitted that the deceased was living in her Maika as she was in the family ways since 7th March, 2026 and two days prior to the demise she had come to her Sasural. The deceased might have committed suicide as she is under treatment of both her breasts as she complained pain therein and due to which she was under depression so M.I.R. etc. was held and some of the medical document of the deceased are available with the applicant which have been filed from page no. 64 to 68.

8. It is further submitted the applicant after his wife had gone to her Maika he regularly used to send money Rs. 50,000/- to his wife, in the account of brother-in-law Rs.16,200/- and in the account of mother-in-law Rs.94,000/- and in support of his submission he has drawn the attention of the Court towards the Annexure No.8, wherein the documents pertaining to transaction of money have collectively been annexed.

9. It is further submitted that the applicant is messenger in Boarder Security Force and posted at Prayagraj and the wife of the applicant has committed suicide. A certificate has been given by the Lt. Col. Offg. Tech. Offr. for Offg. Psdt. which has been enclosed as Annexure No.1. The applicant has no criminal hisotry and he is in jail since 15.06.2026.

10. It is also stated that the Hon'ble Apex Court, on the issue of committing suicide, in the case of **Mangat Ram v. State of Haryana**, Criminal Appeal No. 592-SB of 1997, decided on 27-5-2008 (P&H), observed that "*A woman may attempt to commit suicide due to various reasons, such as, depression, financial difficulties, disappointment in love, tired of domestic worries, acute or chronic ailments and so on and need not be due to abetment*". It is further stated that a perusal of the FIR would indicate that the informant has levelled bald and vague allegations against the applicant with regard to demand of dowry and cruelty committed against the deceased.

11. It is further submitted that neither from the FIR nor from the statements, it has come out that there was any allegation that soon before the death of daughter of informant, she was subjected to cruelty or harassment by the applicant. In the case of **Charan Singh @ Charanjit Singh Vs. State of Uttrakhand** (Criminal Appeal No. 447 of 2012) wherein the Hon'ble Supreme Court allowed the appeal of the husband and held that the conviction under Sections 304-B, 498-A and 201 IPC could not be sustained in the absence of evidence of cruelty or harassment for dowry soon before the death.

12. On the other hand learned AGA and the counsel for the informant opposed the prayer for grant of bail. The learned counsel for the informant is unable to dispute the fact that the deceased was living in her Maika due to family way since March,

2026 and transfer of the money in the accounts as well as suffering of the deceased.

13. Considering the submissions made by learned counsel for the respective parties and going through the record of the case, prima facie, it is found that the allegations made in the FIR appears to be general and omnibus in nature; as per the medical report cause of death shown is Asphyxia due to ante mortem hanging; no injury has been found on the body of the deceased except ligature mark, meaning thereby no cruelty has been shown before the death; prima facie it is found that during the period when the deceased in her Maika and going on under treatment the applicant transferred the money either in her account or in the account of his brother-in-law and mother-in-law, which is not disputed as discussed above. The applicant has made out a case for grant of bail.

14. Accordingly, the instant bail application is ***allowed***.

15. Let the applicant **Manoj Kumar Pal @ Manoj Pal** be released on bail in the aforesaid case crime number on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

- (i) The applicant will not tamper with the evidence during trial.
- (ii) The applicant will not pressurize/intimidate the prosecution witness(es).
- (iii) The applicant shall not commit an offence.
- (iv) The applicant shall remain present before the trial court on each date fixed, either personally or through counsel.

16. In case of default of above conditions, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

17. As this order relates to enlargement of the applicant on bail, it is clarified that observations made in this order shall have no bearing on the merits of the case and the trial court shall not be influenced by any observations made in this order.

September 11, 2026

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(Manish Kumar,J.)