



2026:AHC:191868

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 26430 of 2026

Tanmay Hira Viswas

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Janardan Yadav, Rajesh Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Brijesh Kumar Yadav, Advocate holding brief of Sri Janardan Yadav, learned counsel for the applicant, Ms. Mayuri Mehrotra, learned State Law Officer for the State and perused the record.

2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 104 of 2026, under Sections 80(2), 85, 115(2) of B.N.S. and Section 3/4 of D.P. Act, Police Station Raunapar, District Azamgarh, during the pendency of the trial.

3. Contention of learned counsel for the applicant is that the applicant is the husband of the deceased and he has been falsely implicated in the present case by making general allegations, though there is no material to show that soon before her death, she was subjected to cruelty for non-fulfilment of the demand of dowry. It is further submitted that the deceased died due to smothering. Charge sheet has been filed by the police, therefore, there is no requirement for custodial interrogation. The applicant has no criminal history and he is languishing in jail since 03.05.2026. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. On the other hand, learned State Law Officer for the State vehemently opposed the prayer for bail and submitted that the deceased died due to smothering having multiple injuries over her body within 7 years of her marriage. He further submitted that statements of witnesses recorded during investigation show that the applicant had been continuously

harassing the deceased for non-fulfillment of demand of dowry which resulted into her death, therefore, he is not entitled to be released on bail.

5. Considering the submissions of learned counsel for the parties and taking into account the fact that the applicant is husband of the deceased, who as per the postmortem report died due to smothering having multiple injuries, within 7 years of her marriage coupled with the evidence collected during investigation which shows that she was subjected to cruelty with regard to demand of dowry prior to her death, therefore, in view of presumption of dowry death under Section 118 of Bharatiya Sakshya Adhiniyam, 2023, this Court is not inclined to grant bail to the applicant.

6. Accordingly, the present bail application is **rejected**. However, the learned trial court is directed to conclude the trial of the applicant as expeditiously as possible in view of the law laid down by the Hon'ble Apex Court in the Case of **Liakat Ali v. State of Jammu and Kashmir, Writ Petition (Crl.) No. 99 of 2026**, decided on **16.07.2026**.

7. Application, if any, stands **disposed of**.

(Arun Kumar Singh Deshwal,J.)

September 14, 2026

SA