



2026:AHC:208275

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 30447 of 2026

Sandeep Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Manju Lata Verma, Ram Sumer Chaudhary
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Ram Sumer Chaudhary, learned counsel for the applicant, Sri Roshan Kumar Singh, learned A.G.A. 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. 107 of 2025, under Sections 80(2) 85 B.N.S. and Section 3/4 of D.P. Act, Police Station Malwan, District- Fatehpur, during the pendency of the trial.

3. This matter was heard on 22.09.2026. On that date, after perusing the report dated 31.08.2026 of Department of Forensic Medicine & Toxicology, Moti Lal Nehru Medical College, Prayagraj regarding the exact cause of death wherein it is mentioned that opinion of doctor who conducted the postmortem was incorrect as the Department of Forensic Medicine & Toxicology, Moti Lal Nehru Medical College, Prayagraj after perusing the photographs of the inquest as well as the postmortem report opined that it is a case of hanging as it was found that obliquely running red, brown ligature marks in the form of discontinuous fold effects of ligature at various levels on the right, left and front of the leg.

4. Therefore, considering the above report, this Court directed the Principal Secretary (Health) U.P., Lucknow to appear personally through video conferencing and explain whether in compliance of the order dated 05.08.2026 passed in Criminal Misc. Bail Application No. 13930 of 2026, the Department of Health has taken any action for skill enhancement of the doctors who are engaged to conduct the postmortem.

5. In pursuance of the order dated 22.09.2026, Principal Secretary (Health), U.P., Lucknow is present and she apprised that from 31.08.2026 to 07.09.2026, workshops were conducted and several doctors which include 505 male doctors and 90 female doctors were trained in forensic medicine specially with regard to the medico legal issue arising out of the postmortem have been discussed. She further apprised that she has also issued show cause notice to the doctors who conducted this postmortem. It was also informed by the Principal Secretary (Health), U.P., Lucknow that she would ensure that in future that the doctor who conduct the postmortem have participated in skill enhancement workshop regarding forensic medicine i.e. medico legal cases regarding postmortem.

6. This court is satisfied with the explanation submitted by the Principal Secretary (Health), U.P., Lucknow and also appreciates her effort for conducting workshop for enhancement of the skill in forensic medicine and medico legal cases.

7. Coming to the merits of this case, learned counsel for the applicant has submitted that applicant is the husband of the deceased who died because of unknown reasons as neither the inquest report nor the postmortem report reveals the exact cause of death but it is not in dispute that the panel of doctors of Moti Lal Nehru Medical College, Prayagraj in its report dated 31.08.2026 clearly opined that it is the case of hanging, though the applicant tried to dispute this report but that can be raised by him during the trial. Learned counsel for the applicant could not show from the record the exact reason for committing suicide or death of the deceased. The applicant has no criminal history and he is languishing in jail since 05.06.2025. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

8. On the other hand, learned A.G.A. for the State vehemently opposed the prayer for bail and submitted that the deceased died within 7 years of her marriage under unnatural circumstances. 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 suicide by the deceased, therefore, he is not entitled to

be released on bail.

9. Considering the submissions of learned counsel for the parties and taking into account the fact that the applicant is husband of the deceased, who committed suicide by hanging within 7 years of her marriage and evidence collected during investigation 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.

10. Accordingly, the present bail application is **rejected**.

11. I.O. of this case is directed to place the report dated 31.08.2026 of Department of Forensic Medicine & Toxicology, Moti Lal Nehru Medical College, Prayagraj in the record of trial court.

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

October 6, 2026
S.C.

(Arun Kumar Singh Deshwal,J.)