HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 27487 of 2026

Sandeep Dubey

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ashok Kumar Mishra, Krishna Kant Dubey, Santosh Kumar Dubey, Santosh Prakash Pandey
Counsel for Opposite Party(s)	:	G.A., Santosh Kumar Tiwari

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Exemption application filed by learned AGA is allowed.

2. Personal appearance of I.O. of this case is exempted.

3. Heard Sri Ashok Kumar Mishra along with Krishna Kant Dubey, learned counsel for the applicant, Sri Santosh Kumar Tiwari, learned counsel for the first informant and Sri Roshan Kumar Singh, learned A.G.A. for the State.

4. Instant bail application has been filed with a prayer to release the applicant on bail during the trial in Case Crime No. 225 of 2025, under Sections 85, 80(2), 115 (2) B.N.S. and Section 3/4 Dowry Prohibition Act, Police Station- Gyanpur, District-Bhadohi.

5. Contention of learned counsel for the applicant is that the applicant is **husband** of the deceased and he has been falsely implicated though there is no material to show that soon before her death, she was subjected to cruelty for non-fulfillment of demand of dowry. It is further submitted that the deceased died under suspicious circumstances and post mortem report shows that the deceased was having several injuries and cause of death was uncertain. 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 07.10.2025. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

6. 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.

7. Considering the submissions of learned counsel for the parties and taking into account the fact that the applicant is husband of the deceased, who died under suspicious circumstances 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.

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

October 24, 2026
A.Kr.

(Arun Kumar Singh Deshwal,J.)

Digitally signed by :-
AJAY KUMAR
High Court of Judicature at Allahabad