HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 30966 of 2026

Ashish

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

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

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Sunil Kumar Dubey, learned counsel for the applicant, Sri Roshan Kumar Singh, learned A.G.A. for the State and perused the record.

2. Instant bail application has been filed with a prayer to release the applicant on bail during the trial in Case Crime No. 337 of 2025, under Sections 85, 8092), 115(2) BNS and 3/4 Dowry Prohibition Act, Police Station- Doghat, District Baghpat.

3. In pursuance of the order of this Court dated 09.10.2026, the U.P. State Medico Legal Cell has submitted a report dated 22.10.2026 mentioning the cause of death is comotio cordis (Disruption of heart rhythm after a blunt non-penetrating trauma over pre cordial area of the chest without any damage to hear muscle).

4. 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 as per report of U.P. State Medico Legal Cell, Lucknow cause of death may be comotio cordis (Disruption of heart rhythm after a blunt non-penetrating trauma over pre cordial area of the chest without any damage to hear muscle) as there was one injury over pre-cordial area of the deceased. 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 14.01.2026. In case, he is granted bail, he will not misuse the liberty of bail

and would cooperate in the trial proceedings.

5. 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.

6. 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.

7. 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