HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 31379 of 2026

Vinay Sagar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) :
Counsel for Opposite Party(s) :

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Anupam Prakash Singh, learned counsel for the applicant, Sri Shivbabu Dubey, learned counsel for first informant, 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. 20 of 2026, under Sections- 80, 85 BNS, (498A, 304 B) I.P.C. and 3/4 D.P. Act, Police Station- Tiwaripur, District- Gorakhpur, during the pendency of the trial.

3. Pursuant to order dated 09.10.2026, I.O. Omkar Dutt, Circle Officer, Kotawali, Gorakhpur is present and apprised the Court that though he has not mentioned in the case diary regarding installation of Camera in the house of the applicant, but correct fact is that all the Camera's are facing towards the road and no scene of inside of the house was captured by the CCTV Camera and for this reason, he has not collected the DBR or CCTV footage. This fact is also admitted by the learned counsel for first informant.

4. Instruction produced today, is taken on record. Court is satisfied with the explanation submitted by I.O. of this case.

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 herself committed suicide by hanging after a petty dispute over household issues. 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 14.02.2026. 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 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.

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

October 24, 2026
Arvind

(Arun Kumar Singh Deshwal,J.)

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