2026:AHC:209701

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35803 of 2026

Jalandhar

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Piyush Patel, Pradeep Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Pradeep Kumar, 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. 248 of 2025, under Sections 80(2), 85, 238Kha Bharatiya Nyaya Sanhita, 2023 and Section 3/4 Dowry Prohibition Act, Police Station- Shaymdeurawa, District- Maharajganj, 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 has been falsely implicated, as 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 allegedly committed suicide by hanging herself after a petty dispute over household issues, but the applicant's family secretly cremated the deceased without informing her parents or any other relatives. Charge-sheet has been filed by the police; therefore, there is no requirement for custodial interrogation. The applicant has no criminal history and has been languishing in jail since 31.08.2025. In case he is granted bail, he will not misuse the liberty of bail and will cooperate in the trial proceedings.

4. 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.

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 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.

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

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

(Arun Kumar Singh Deshwal,J.)

October 7, 2026
SA

Digitally signed by :-
SALMAN ALI
High Court of Judicature at Allahabad