HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37481 of 2026

Yogendra Prtap Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Gyan Chandra, Saurabh Kumar Mishra
Counsel for Opposite Party(s) : G.A., Lok Pal Singh, Vinay Kumar Mishra

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Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Saurabh Kumar Mishra, learned counsel for the applicant, Sri Vinay Kumar Mishra, learned counsel for the first informant and Sri Bhupendra Pal 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. 144 of 2026, under Sections 80(2), 85 of B.N.S.. & Section 3/4 of Dowry Prohibition Act. Police Station Ajitmal. District Auraiya, during the pendency of the trial.

3. 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. It is further submitted that there are conversations between the applicant's father and deceased's father which shows that deceased was having relationship with another person and that is the reason for committing suicide. The applicant is languishing in jail since 11.04.2026. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Per contra, learned counsel for the first informant and learned

A.G.A. have vehemently opposed the prayer for bail and submitted that deceased died within 7 years of marriage and there was material that she was subjected to cruelty for non-fulfillment of demand of dowry. It is further submitted that the telephonic conversation between the applicant's father and deceased father is not a part of the case diary, therefore, same cannot be relied upon. Therefore, applicant 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. Therefore, the bail application of the applicant is **rejected**.

7. However, considering the fact that telephonic conversation between the applicant's father and deceased's father is the relevant evidence which was required to be investigated by the police, therefore, in case the applicant or his family members furnishes any pen drive of audio conversation between applicant's father and deceased father to the concerned I.O., same shall be investigated after taking permission from the concerned court and the reason thereof be submitted to the concerned court.

(Arun Kumar Singh Deshwal,J.)

October 28, 2026
S.C.

Digitally signed by :-
SHUBHAM CHAURASIA
High Court of Judicature at Allahabad