HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 37815 of 2026

Aman

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Pankaj Kumar Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Pankaj Kumar Shukla, learned counsel for the applicant, 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. 81 of 2026, under Sections 85, 80(2) BNS, and Section 3/4 Dowry Prohibition Act, Police Station Sakrauli, District Etah, during the pendency of the trial.

3. Contention of learned counsel for the applicant is that the applicant is the husband of the deceased, who committed suicide by hanging. It is further submitted that from the audio recording of the conversation between the deceased and her father as well as between the applicant and the father of the deceased, it is clear that there was no allegation of demand of dowry and it was simply a dispute over petty household issues and the deceased, being short-tempered, threatened on several occasions to commit suicide. It is also clear from the audio recording that the father of the deceased himself, in a fit of anger, asked the deceased to commit suicide and also admitted that his daughter was short-tempered and that they should convince her to remain calm. It is further submitted that apart from the audio conversation between the deceased and her father, there are several independent witnesses who have clearly admitted the fact that quarrels used to take place between the deceased and her mother-in-law over petty household issues and there was no demand of dowry or harassment for non-fulfilment of the demand of dowry. Therefore, the presumption under Section 118 of the BSA is not attracted in the present case and the applicant has been falsely implicated in the present case.

4. It is further submitted that the applicant is a 21-year-old boy having no criminal history. It is further submitted that the charge sheet has been filed in the present case; therefore, there is no requirement of custodial interrogation.

The applicant is a law-abiding citizen and is languishing in jail since 08.06.2026. In case he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

5. Per contra, learned A.G.A. has vehemently opposed the prayer for bail but could not dispute the aforesaid facts.

6. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and taking into account the audio conversation between the deceased and her father as well as between the applicant and her father-in-law, wherein there was no allegation of demand of dowry and it was accepted that the deceased was short-tempered and threatened on several occasions to commit suicide, even to her father, and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts, as well as considering the mandate of the judgment of the Apex Court in the case of **Kapil Wadhawan vs. Central Bureau of Investigation, reported in 2025 SCC OnLine SC 3038**, as well as the guideline of this Court in the case of **Maya Tiwari Vs. State of U.P., 2024 SCC OnLine All 6765**, regarding grant of bail, and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail. Accordingly, the present application is **allowed**.

7. Let the applicant- **Aman ,** involved in the aforementioned crime be released on bail, on his furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

i. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

ii. The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.

iii. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

iv. The applicant shall attend in accordance with the conditions of the bond executed by him.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

9. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

10. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

11. It is made clear that the applicant shall be released on the basis of computer generated copy of this order, downloaded from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within 15 days.

12. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

13. Office is directed to send a copy of this order to the applicant through **Jail Superintendent, Etah** via e-mail or on e-prison portal and Trial Court via e-mode within 24 hours in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021 decided on 31.01.2023** reported in **(2024) 10 SCC 685** as well as **Pila Pahan@Peela Pahan and others Vs. State of Jharkhand and another, in Writ Petition (Criminal) No. 169 of 2025,** decided on **29.05.2026.**

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

(Arun Kumar Singh Deshwal,J.)

October 24, 2026
SA

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