



2026:AHC:54804

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 9129 of 2026

Santosh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Pramod Kumar Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67

HON'BLE SAMEER JAIN, J.

1. Heard Sri Pramod Kumar Pandey, learned counsel for the applicant and Sri Imran Khan, learned AGA, for the State.
2. The instant bail application has been filed on behalf of the applicant with the prayer to release him on bail in Case Crime No.324 of 2025, under Sections 80,85,351(3) and 352 BNS and Section 3/4 Dowry Prohibition Act, Police Station Jait, District Mathura during pendency of the trial.
3. Learned counsel for the applicant submits that however, applicant is husband of the deceased but on the basis of false allegation he has been made accused in the present matter.
4. He further argued that during investigation Investigating Officer procured suicide note of the deceased which has been annexed as annexure-10 to the affidavit filed in support of the instant bail application and from its perusal it reflects that deceased did not make any allegation either against the applicant or against his family members and it appears that she committed suicide due to harassment by some other person and her suicide note completely rules out that it is a case of dowry death.
5. He further submits that even post mortem report of the deceased suggests that deceased died due to hanging and considering the post mortem report of the deceased and her suicide note prima facie it appears to be a case of suicidal death.

6. He further submits that applicant is not having any previous criminal history and in the present matter he is in jail since 21.7.2025, i.e., for almost eight months.

7. Per contra, learned AGA although opposed the prayer for bail but could not dispute the argument on facts advanced by the learned counsel for the applicant.

8. I have heard learned counsel for the parties and perused the record of the case.

9. However, applicant is husband of the deceased and his wife died under abnormal circumstances within two years of her marriage in her matrimonial home and there is also allegation of torture in connection to demand of dowry but considering suicide note of the deceased and her post mortem report prima facie it appears to be a case of suicidal death.

10. Further, from the suicide note of the deceased it could not be reflected that it is a case of dowry death. Further, applicant is not having any previous criminal history and in the present matter he is in jail in since 21.7.2025, i.e.,for almost eight months.

11. Further, law is settled that unless proven guilty, an accused is deemed to be innocent and bail application should not be dismissed either for punitive or preventive purpose.

12. Therefore, considering the facts and circumstances of the case discussed above in my view, applicant is entitled to be released on bail.

13. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

14. Let the applicant-**Santosh** be released on bail in the aforesaid case on 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 appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make 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 any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

15. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

16. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

(Sameer Jain,J.)

March 18, 2026
SKM