



2026:AHC:57776

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 9556 of 2026

Veer Pratap @ Manoj Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ali Hasan, Ram Murti Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67

HON'BLE SAMEER JAIN, J.

1. Supplementary affidavit filed by applicant is taken on record.
2. Heard Sri Ali Hasan, learned counsel for the applicant and Sri Shatrughan Yadav, learned AGA, for the State.
3. The instant bail application has been filed on behalf of the applicant with the prayer to release him on bail in Case Crime No.32 of 2025, under Sections 498A,304B, 323, 201 and 506 IPC and Section 3/4 Dowry Prohibition Act, Police Station Rasoolabad, District Kanpur Dehat during pendency of the trial.
4. Learned counsel for the applicant submits that however, applicant is the husband of the deceased but on the basis of false allegation he has been made accused in the present matter.
5. He further argued that actually deceased was short tempered lady and very often on minor matrimonial issues she started quarreling and on the date of incident she became hyper and thereafter she consumed insecticide and died.
6. He further argued that immediately after the incident informant side was informed and they arrived and participated in the inquest but after almost six months, informant moved an application under Section 173(4) BNSS and on this application on 26.1.2025 FIR of the present case was lodged and this inordinate delay in lodging the FIR itself suggests that it is based on false allegation of torture in connection to demand of dowry and actually it is not the case of dowry death.

7. He further submits that even viscera report of the deceased also suggests that she died due to consumption of organo chloro insecticide.

8. He further submits that apart from the present case applicant is not having any previous criminal history and in the present matter he is in jail since 01.12.2025, i.e., for the last more than fifteen months.

9. 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.

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

11. However, applicant is the husband of the deceased and his wife died within five years of her marriage under abnormal circumstances in her matrimonial home and there is also allegation of torture in connection to demand of dowry but considering viscera report of the deceased, possibility of suicide committed by deceased at this stage cannot be ruled out.

12. Further, even there is delay of more than seven months in lodging the FIR of the present case which though has been lodged through an application under Section 173(4) BNSS but even application under Section 173(4)BNSS was moved after more than five months, therefore, FIR of the present case has been lodged quite belatedly.

13. Further, apart from the present case, applicant is not having any previous criminal history and he is in jail in the present matter since 01.12.2025, i.e., for the last more than fifteen months.

14. 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 purposes.

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

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

17. Let the applicant-**Veer Pratap @ Manoj Kumar** 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.

18. 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.

19. 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 20, 2026
SKM