



2026:AHC:59698

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 9773 of 2026

Yashpal Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Girish Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE SAMEER JAIN, J.

1. Heard Sri Girish Tiwari, learned counsel for the applicant and Dr.S.B.Maurya, learned AGA-I, for the State.
2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No. 388 of 2025, under Sections 85, 115(2) and 80(2) BNS and Section 3/4 Dowry Prohibition Act, Police Station Thakurdwara, District Moradabad 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 roped in the present matter.
4. He further argued that however, post mortem report of the deceased suggests that she sustained number of injuries and she died due to septicemic shock consequent to ante mortem injuries and her prolonged hospitalization but actually it is a case of accidental death.
5. He next submits that actually in the house of applicant construction work was going on and accidentally deceased fell and sustained injuries through iron rod and after her death only to extract money informant of the case lodged FIR of the present case.
6. He further argued that even from the statement of the informant recorded during investigation it reflects that he lodged FIR of the present case only because applicant did not visit the Hospital where deceased was admitted.

7. He further argued that applicant is not having any previous criminal history and in the present matter he is in jail since 25.10.2025, i.e., for almost five months.

8. Per contra, learned AGA opposed the prayer for bail and submits that applicant is husband of the deceased and his wife died within four years of her marriage under abnormal circumstances in her matrimonial home and there is also allegation of torture with regard to demand of Rs. Two Lacs.

9. Learned AGA further submits that even post mortem report of the deceased suggests that deceased sustained number of injuries and she died due to septicemic shock consequent to ante mortem injuries and her prolonged hospitalization and, therefore, it appears to be a case of homicidal death and applicant failed to explain the murder of his wife.

10. He further argued that considering the seats and number of injuries it could not be reflected that it is a case of accidental death and, therefore, it reflects, applicant tried to suppress the correct facts from this Court.

11. He further argued that therefore, considering the facts and circumstances of the case, applicant does not deserve bail and the instant bail application should be dismissed.

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

13. Applicant is husband of the deceased and his wife died just after three and half years of marriage in her matrimonial home under abnormal circumstances and there is also allegation of torture in connection to demand of Rs. Two Lacs.

14. Further, post mortem report of the deceased suggests that she sustained as many as five injuries and she died due to septicemic shock consequent to ante mortem injuries and her prolonged hospitalization and, therefore, prima facie it appears to be a case of homicidal death.

15. Further, however according to the applicant, it is a case of accidental death as construction work was going on and deceased accidentally fell and sustained these injuries but considering the seats and number of injuries sustained by deceased, this Court finds merit in the argument advanced by the learned AGA that prima facie it could not be reflected

that it is the case of accidental death.

16. Therefore, considering the facts and circumstances of the case discussed above, in view of this Court, applicant is not entitled to be released on bail.

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

18. 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 23, 2026
SKM