

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2745 of 2025

Arising Out of PS. Case No.-150 Year-2024 Thana- CHAND District- Kaimur (Bhabua)

Ghanshyam Tiwari @ Ghanshaym Tiwari S/o Madan Tiwari R/o Village-
Saukhara, PS- Chand, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 02-07-2025 Heard the learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in a case registered for the
offences under Sections 103(1) and 3(5) of the B.N.S.

3. As per the prosecution case, the daughter of the
informant was married to the petitioner in year 2015. Thereafter,
the petitioner along with the other family members used to
torture her for non-fulfillment of demand of dowry and also for
not bearing a child. It has further been alleged that the informant
received an information from her relative that his daughter had
been done to death by the petitioner and others.



4. Learned counsel for the petitioner submits that the petitioner being the husband of the deceased has falsely been implicated in this case and no such incident as stated has ever occurred. Learned counsel has submitted that the petitioner was married on 29.01.2015 and no complaint whatsoever was made by the informant or his family member till date alleging demand of dowry. Learned counsel has next stated that from perusal of the post mortem report, it would be evident that there was no external injury found on the body of the deceased. It has lastly been submitted that the petitioner had taken his wife to the hospital for treatment, however, she was declared dead. It is submitted that the petitioner has clean antecedent and is in custody since 23.09.2024.

5. Learned APP for the State as well as learned counsel for the informant have jointly opposed the prayer for bail of the petitioner and it has been stated that the petitioner was involved in the killing of his wife and from the *viscera* report, it is evident that 'Zinc phosphide' was found inside the body of the deceased and as such, she was poisoned to death by the petitioner and others. Learned counsel for the informant also submitted that the deceased was subjected to torture by the petitioner and others for not bearing a child and she had also



complained about the same and had a fear that she would be done to death by the petitioner and others.

6. Considering the aforesaid facts and circumstances and taking into account the materials collected during the course of investigation, the petitioner above named be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Chand P.S Case No.150 of 2024, subject to the conditions:-

(i) one of the bailors shall be the close relative of the petitioner

(ii) the petitioner shall remain physically present in the Court on each date of trial.

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) the learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his/her criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of



above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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