

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16042 of 2025

Arising Out of PS. Case No.-45 Year-2024 Thana- Banuchhapar District- West Champaran

Sandeep Giri S/o- Late Shambhu Giri Village- Narkatiya Ps- Gopalpur Dist-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
the offence punishable under Sections 103(1), 238, 3(5) of the
BNS.

3. As per the prosecution case, it is alleged that
petitioner has killed her wife and showed the death of her wife
as she has committed suicide.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that after lapse of 25 years of marriage leading with the
happy conjugal life having three children out of their wedlock
and they seems to be very good relations of the couple. He
further submits that petitioner has never abused his



wife(deceased) and never provoked her. He next submits that petitioner is in custody since 18.12.2024 and he got no criminal antecedent.

5. However, learned APP for the State vehemently opposes the prayer for bail of the petitioner.

6. On perusal of the FIR, case diary, post-mortem report of the deceased and impugned order dated 06.02.2025, it appears that from para-35 of the case diary the cause of death has been mentioned as Asphyxia as a result of hanging/strangulation and there is specific allegation against the petitioner that he has killed his wife(deceased) and tried to cremate the body of the deceased without informing her family members. I am not inclined to grant bail to the petitioner.

7. Accordingly, the present bail petitioner is hereby rejected.

8. However, the petitioner will be at liberty to renew his prayer for bail before the Trial Court after completing one year of his custody.

(Ramesh Chand Malviya, J)

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