

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47925 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- GHANSHYAMPUR District- Darbhanga

Gauri Shankar Singh S/O Lalan Singh Resident of Village- Tumaul, P.S-
Ghanshyampur, District- Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar
2. Sujita Devi W/O Suman Kumar R/O Village- Bhith Bhagwanpur, P.S-
Madhepur, Dist.- Madhubani.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Advocate Mr. Raja Ram Mishra, Advocate
For the State	:	Ms. Suman Kumari Singh, APP
For the O.P. No. 2	:	Mr. Maruth Nath Roy, Advocate Mr. Sanjay Parasmani, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner and learned
counsel for the opposite party no. 2 as well as learned APP for
the State.

02. In the present case, the petitioner seeks bail in
connection with Ghanshyampur P.S. Case No. 40 of 2025
registered for the alleged offences under Sections 80 and 3(5) of
Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, daughter of the informant
was married with the petitioner and allegation against the
petitioner and other co-accused persons is that they administered
poison to the daughter of the informant to death. The occurrence
is stated to have taken place in the background of demand of



dowry by the petitioner and other co-accused persons.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The marriage of the petitioner was solemnized with the daughter of the informant in love affair. The petitioner has given a mobile phone to the deceased prior to his marriage on 13.04.2023. The petitioner had been working in a mall in Mumbai and used to transfer money to the deceased and the informant as well even prior to his marriage. More than Rs. 1 lac was given to the deceased and the informant by the petitioner before and after the marriage, therefore, the allegation of making demand of dowry is completely false and concocted. During investigation, police came to know that due to some altercation between the husband and wife both of them consumed poison and the daughter of the informant died and the petitioner survived. Learned counsel further submits that initially the petitioner and his wife were taken to Primary Health Center from where they were referred to DMCH, Darbhanga and both of them were admitted to DMCH, but after death of the wife of the petitioner, the petitioner was shifted to a private hospital and, therefore, the allegation on this account that the daughter of the informant has left in DMCH is not correct. The



police, after investigation, submitted charge-sheet under Section 108 of BNS and this shows the deceased was not administered poison by the petitioner or any of his family members. The petitioner has got no criminal history and is in custody since 30.04.2025.

05. Learned APP for the State as well as learned counsel for the opposite party no. 2 vehemently oppose the submission made on behalf of the petitioners. Learned counsel for the informant submits that the petitioner has been making demand of Rs. 5 lac and also the petitioner and his family members used to assault the daughter of the informant. Further, they forcibly administered poison to the daughter of the informant and the petitioner, in order to save himself, also consumed poison in lesser quantity and thus, survived.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioner and also considering the submission of charge-sheet under Section 108 BNS and further considering the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate-II, Biraul, Darbhanga in connection with Ghanshyampur P.S. Case No. 40 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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