

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21376 of 2026

Arising Out of PS. Case No.-339 Year-2025 Thana- BRAHMPURA District- Muzaffarpur

Sudhanshu Singh @ Sudhanshu Shekhar S/O Sanjeev Singh @ Sanjeev Kumar Singh R/O Gyan Lok Marg Shyam Kutir, P.S- Brahampura, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Nivedita Nirvikar, Sr. Advocate Ms. Riya Raj, Advocate Mr. Amar Shakti, Advocate Mr. Arya Achint, Advocate
For the State	:	Mr. Mukesh Kumar Singh, APP
For the Informant	:	Mr. Sanjay Singh, Sr. Advocate Mr. Rudrank Singh, Advocate Mr. Venkatesh Kirti, Advocate Mr. Mukesh Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 15-07-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Brahampura P.S. Case no. 339 of 2025 registered under section 80 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that his sister was married to the petitioner on 1.6.2025. Soon after the marriage, his sister was tortured and information about this was given by her to his parents. It is stated that on 26.12.2025, his sister's father-in-law Sanjeev Kumar called on



his mother's mobile phone to inform that his sister had died as a result of burn and suffocation. On reaching his sister's *sasural*, the informant states that it appeared that she has been killed as a result of a conspiracy. As such the FIR.

4. Learned Senior counsel appearing for the petitioner submitted that while the marriage took place between the petitioner and the deceased on 1.6.2025, the date of occurrence is 26.12.2025. From the contents of the informatory petitions filed by the petitioner on 23.9.2025 and 5.12.2025 in the Court of the Sub-Divisional Officer (East), Muzaffarpur and copies of which have been brought on record as Annexure-2 series to the petition, it would transpire that the wife of the petitioner was suffering from mental illness/schizophrenia. She was not normal and was having repeated episodes which required medical attention. It is submitted that it subsequently transpired that she had been under medical treatment from much before the marriage but the problem was hidden from the family members of the petitioner and she was married to the petitioner.

5. In support of the deceased having undergone treatment, learned Senior counsel for the petitioner has referred to the prescriptions brought on record as annexure to the supplementary affidavit as also the copies of the communication with her brother on



WhatsApp messenger. It is submitted that it appears that it was as a result of carbon monoxide poisoning that the accidental death of the petitioner's wife took place, however it subsequently transpired in the report of the Forensic Science Laboratory that the deceased had consumed celphos.

6. Learned Senior counsel for the petitioner further submitted that from the contents of the FIR itself, it would transpire that information was given to the family of the informant by the petitioner's mother. In the post-mortem conducted, no external injury has been found which would not have been possible if celphos had been forcibly administered on her. The cremation took place in presence of the informant and his family. The petitioner is in custody since 27.12.2025 and investigation having concluded, chargesheet has been submitted in the case. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial.

7. The application for bail is opposed by learned APP for the State and learned Senior counsel for the informant. Learned Senior counsel appearing for the informant submits that the daughter of the informant who was married to the petitioner herein was tortured and done to death only six months after the marriage. So far as the story of poisoning by carbon monoxide is concerned, it is submitted that it has transpired in course of



investigation that there was a room heater available in the room and thus there was no question of any poisoning as has been tried to be made out on behalf of the petitioner. Further the report of the Forensic Science Laboratory has confirmed that celphos was administered and she died as a result of poisoning. It is further submitted that in view of the presumption under section 118 of the Bharatiya Sakshya Adhiniyam, 2023, it is for the petitioner to dispel the said presumption which in the instant case the petitioner has measurably failed to do.

8. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner being the husband of the deceased, the material that has transpired in course of investigation and the contents of the report of the Forensic Science Laboratory, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

9. Liberty is granted to the petitioner to renew his prayer for bail on completing one year in custody or on framing of charge in the learned trial Court, whichever is later.

(Partha Sarthy, J)

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