

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27755 of 2026

Arising Out of PS. Case No.-30 Year-2026 Thana- BAISI District- Purnia

Aadesh Sharma son of Jangali sharma Resident Of Village - Chariya Colony
P.s -Baisi District -Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Purushottam Kumar, Adv.
For the Opposite Party/s : Mr.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

3 13-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Baisi
P.S. Case No. 30 of 2026 instituted for the offences under
Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita.

3. The petitioner alleged to have killed his wife of 20
years. He has a daughter and a son from the wife. The dead
body of the lady was found in another village hanging on the
tree. The cause of death detailed in the post mortem report was
strangulation.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 21.01.2026 and
has got no criminal antecedent.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of bail to the petitioner.

6. Since, the marriage is of more than seven years the presumption of 304B of IPC will not be available to the prosecution. Moreover, the dead body has not been recovered from the house and thus the petitioner may not be burdened with special knowledge under Section 106 of the Evidence Act. These observation are *prima facie*. Thus, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Chief Judicial Magistrate, Purnea/concerned Court in connection with Baisi P.S. Case No. 30 of 2026.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

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