

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68189 of 2025

Arising Out of PS. Case No.-77 Year-2023 Thana- MAHNAR District- Vaishali

Gulshan Kumar Son of Nisibi Paswan R/O Village - Lawapur, P.S.- Mahnar,
Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Prabhat

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 16-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mahnar P.S. Case No. 77 of 2023 registered for the offence under Sections 304(B), 201/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is accused of killing his wife.

4. The petitioner is in custody since 17.06.2025. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He further submits that the deceased had fallen ill and because of the same, she died. He next submits that the deceased was treated in the hospital for her ailment but she could not survive.



5. Learned counsel for the petitioner next submits that the trial is not progressing as only three witnesses out of eight witnesses have been examined till date.

6. Considering the period of custody, the allegation and the delay in the trial, this application is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned concerned Court below in connection with Mahnar P.S. Case No. 77 of 2023.

8. As a condition of this order, the court below, before accepting the bail bonds of the petitioner is directed to verify the submission of the learned counsel for the petitioner that only two witnesses have been examined till date. If the statement of the learned counsel for the petitioner is found to be true then the bail bonds of the petitioner shall be accepted and if the same is found to be false then the bail bonds of the petitioner shall not be accepted and appropriate orders shall be passed by the Court below.

9. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at



any subsequent stage of the trial and this Court has not expressed any opinion on the merits of the case.

(Sandeep Kumar, J)

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