

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25212 of 2025

Arising Out of PS. Case No.-291 Year-2024 Thana- CHAND District- Kaimur (Bhabua)

1. Usha Devi W/O Late Barhu Bind R/O Village- Kishunpura, P.S- Chand, Distt.- Kaimur at Bhabhua.
2. Sahtu Bind S/O Late Barhu Bind R/O Village- Kishunpura, P.S- Chand, Distt.- Kaimur at Bhabhua.
3. Chandrama Bind S/O Sahtu Bind R/O Village- Kishunpura, P.S- Chand, Distt.- Kaimur at Bhabhua.
4. Chandan Bind @ Chandan Kumar S/O Sahtu Bind R/O Village- Kishunpura, P.S- Chand, Distt.- Kaimur at Bhabhua.
5. Nisha Devi W/O Chandrama Bind R/O Village- Kishunpura, P.S- Chand, Distt.- Kaimur at Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 14-05-2025 Heard Mr. Pawan Kumar Singh, learned Counsel

for the petitioners, Mr. Anand Kishore Choudhary, learned APP

for the State and also Mr. Tribhuvan Narayan, learned counsel

for the informant who has appeared *suo motu*.

2. At the very outset, learned counsel for the
petitioners submits that *vide* order of this Court dated
22.04.2025 the application for anticipatory bail with respect to
petitioners no.1. Usha Devi, 2. Sahtu Bind and 4. Chandan Bind
@ Chandan Kumar has been dismissed as withdrawn.

3. The petitioners No. 3, Chandrama Bind and 5.



Nisha Devi apprehend their arrest in connection with Chand P.S. Case No. 291 of 2024 registered on 17.12.2024 for the offences punishable under Sections 80, 3(5) of the B.N.S., 2023.

4. According to the prosecution, the present F.I.R. has been lodged against eight named accused persons including the present petitioners with the allegation that all the accused persons used to torture the daughter of the informant for fulfillment of demand of dowry. It has been mentioned that a criminal case under Section 498A of the IPC has been filed in the year 2024 in which compromise took place between the daughter of the informant and her husband with a clear-cut undertaking that they shall not torture the daughter of the informant in future but the torture was again started, demand of dowry was made which resulted into the killing of the informant's daughter.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. Learned counsel submits that initially the anticipatory bail application of five persons has been filed, out of those five persons, anticipatory bail application of three persons i.e., petitioners no.1. Usha Devi, 2. Sahtu Bind and 4. Chandan Bind @ Chandan Kumar has been dismissed as withdrawn *vide*



order of this Court dated 22.04.2025. He submits that now he is pursuing application for anticipatory bail only for petitioners no. No. 3, Chandrama Bind and 5. Nisha Devi who are *Bhainsur* and *Gotni* respectively. Learned counsel for the petitioners has taken specific plea in paragraph-7 of the present petition that the petitioners are residing separately and they have no concern with the family members of the husband of the deceased. Learned counsel next submits that the husband of the victim is in judicial custody. It is also submitted that the petitioners have got clean antecedent and they are ready to fulfill all the conditions whatever imposed upon them.

6. Learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that it has come in the FIR that every person is involved in demand of dowry and subsequent killing of the informant's daughter. He also submits that the petitioners are law breakers as in the complaint case, a compromise took place between both sides of the family that they will keep the informant's daughter with honour and dignity but instead thereof, they have killed the daughter of the informant. Hence, they do not deserve the privilege of anticipatory bail.

7. Learned counsel for the State opposed the prayer



for anticipatory bail but fairly submits that pleading has been made that the petitioners who are *Bhainsur* and *Gotni* respectively used to reside separately.

8. In view of the above facts and circumstances, this Court is inclined to extend the privilege of anticipatory bail to the petitioners.

9. Accordingly, let the above named petitioners, namely, Chandrama Bind and Nisha Devi be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Judicial Magistrate, 1st Class, Kaimur at Bhabhua, in connection with aforesaid P.S. Case, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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