

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51048 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- CHAND District- Kaimur (Bhabua)

1. Ram Sahay @ Ram Sahay Ram S/O Late Bandhu Ram Village- Chand, PS- Chand, District- Kaimur
2. Manki Devi @ Kumari Manki W/O Ram Sahay @ Ram Sahay Ram Village- Chand, PS- Chand, District- Kaimur

... .. Petitioner/s

Versus

The State OF Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv.
Mrs. Sakshi Deep, Adv.
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard Learned Senior Counsel Mr. Krishna Pd. Singh, with Mrs. Sakshi Deep, Advocate for the petitioners, Learned APP for the State and learned counsel for the informant.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioners who apprehend their arrest in connection with Chand P.S. Case No. 117 of 2025, for the offences punishable under Sections 80/ 3(5) of the BNS, 2023.

3. As per the prosecution, FIR has been lodged against



5 named accused persons including the present petitioners against whom there is allegation of torture and demand of dowry and upon non-fulfillment, they have killed informant's niece.

4. Learned Senior Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that the petitioner No.1 is a father-in-law aged about 53 years and petitioner No.2 is mother-in-law aged about 45 years. He further submits that it is true that death is dowry death, but from the FIR, it is clear that the petitioners' side have provided treatment to the deceased at Chandauli Hospital and subsequently in Varanasi and always intimated about the development of the status of her health to her family.

5. Senior Counsel further submits that in paragraph 13 of the bail petition, it has been categorically mentioned that husband of the deceased is in custody. He further submits that both petitioners were living separately in mess and property of the deceased and her husband.

6. Senior counsel further submits that Up-Mukhiya has also provided document by which it is clear that they were residing separately since last 4-5 months after his son marriage.

7. Senior Counsel submits that the criminal antecedent



of the petitioners are clean.

8. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the specific allegation in the FIR is relating to demand of dowry and subsequently, caused death. He further submits that proper information has not been provided about the health of the victim/deceased to her family even at the Varanasi. He further submits that the petitioners are also responsible for the death of the deceased.

9. Learned APP for the State opposes the prayer for bail of the petitioners and submits that from the pleading it transpires that husband is already in custody and certificate of Up-mukhiya and statement indicate that they are not residing with the deceased and their son.

10. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Kaimur at Bhabua in connection with Chand P.S. Case No. 117 of 2025, subject to the conditions as



laid down U/s 482(2) of the BNSS, 2023 with condition as follows:-

(i) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself.

(Dr. Anshuman, J.)

Prakashmani/-

U		T	
---	--	---	--

