

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21743 of 2026

Arising Out of PS. Case No.-175 Year-2025 Thana- Pachpakdi District- East Champaran

1. Bindu Devi W/o Rudra Narayan Mishra @ Bhutuk Mishra. Resident of Village - Devapur, Ward No.16, P.S-Packpakari, District- East Champaran.
2. Rudra Narayan Mishra @ Bhutuk Mishra S/o Late Shivchandra Mishra Resident of Village - Devapur, Ward No.16, P.S-Packpakari, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

2. The petitioners are apprehending arrest in connection with Pachpakari P.S. Case No. 175 of 2025 lodged on 08.11.2025, for the offence punishable under Sections 80(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioners. The allegation in the FIR is that the accused persons in connivance with each other have killed the informant's



daughter. The marriage of the informant's daughter was solemnized in the year 2022 and the accused persons used to torture her repeatedly. It has also been alleged that the accused persons have demanded Rs.15,00,000/- in the name of land.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that the present petitioners are father in law and mother in law of the deceased and the allegation made in the FIR is absolutely false and may not be accepted. Counsel submits that the marriage was solemnized in the year 2022 and after marriage, the son of the petitioners started living with his wife separately. Counsel submits that the allegation of demand of dowry is also absolutely false. Counsel submits that the petitioners are old aged persons and they never interfere in the family life of their son and daughter in law. Counsel further submits that the husband of the deceased moved before this Hon'ble Court seeking anticipatory bail, but the same has been dismissed as withdrawn *vide* order dated 07.04.2026 passed in Cr. Misc. No. 18093 of 2026. Thereafter, the husband of the deceased has surrendered before the trial court.

5. Learned counsel for the petitioners further submits that it is true that the process of attachment has been issued



against the present petitioners, but the said process of attachment has already been challenged in the Criminal Revision No. 61 of 2026 before the Principal District & Sessions Judge, Motihari, East Champaran, as the said process of attachment is itself bad and illegal. Counsel further submits that the petitioners have clean antecedent and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

6. Learned counsel for the informant who appeared *suo-moto*, vehemently opposes the prayer for bail and submits that as per his information, the husband of the deceased has not surrendered before the trial court. He further submits that with a view to save the skin, the said criminal revision has been filed under a strategy and hence, the present anticipatory bail application be rejected.

7. Learned APP for the State opposes the prayer for bail of the petitioners and submits that as per the submissions made by counsel for the petitioners, husband of the deceased is already in custody, but that has to be verified.

8. As such, in the present facts and circumstances of this case considering that the father and mother are living separately from their son and daughter in law and for issuance



of attachment order, criminal revision is already pending, therefore, let the above named petitioners 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/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of S.D.J.M., East Champaran, Motihari, in connection with Pachpakari P.S. Case No. 175 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023 with further conditions:-

(i) one of the bailors should be the family member of the petitioners who shall provide official document to show his/her *bona fide*;

(ii) the petitioners shall appear before the Trial Court on each and every scheduled date, and failure to do so for two consecutive dates without any plausible reason/explanation shall be resulted into cancellation of their bail bonds by the Trial Court itself;

9. The bail bonds of the petitioners shall be accepted by the trial court only after being satisfied that the husband of the deceased has already surrendered before the trial court. If the submission made by the counsel for the petitioners regarding the



surrender of the husband is found to be incorrect, then the benefit of the present anticipatory bail granted to the petitioners shall not be given effect to.

(Dr. Anshuman, J)

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