

**IN THE COURT OF PRINCIPAL SESSIONS JUDGE**  
**DISTRICT-GOPALGANJ**

**Anticipatory Bail Petition No. 2146 of 2025**

*(Arising out of Thawe P.S. Case No. 193 of 2025 registered U/S 103(2)/3(5) of the B.N.S.)*

**In the matter of :-**

|                             |                                             |
|-----------------------------|---------------------------------------------|
| Name of the petitioner      | : 1.) Birendra Chawhan and 2.) Chinta Devi. |
| F.I.R. U/S                  | : 103(2)/3(5) of the B.N.S.                 |
| Charge-Sheet U/S            | : not submitted.                            |
| Counsel for the Petitioners | : Shri Sachin Kumar Tiwari, Id. Adv.        |
| Counsel for the State       | : Shri Deo Vansh Giri, Id. P.P.             |

**O r d e r.**

**11-03-2026**

1. This Anticipatory bail petition filed on behalf of above named accused-petitioners, who are apprehending their arrest in connection with Thawe P.S. Case No. 193 of 2025 registered U/S 103(2)/3(5) of the B.N.S. , is put up for hearing.

2. As per the FIR, prosecution case in brief is that on the basis of written application of the informant, Thawe P.S. Case No. 193 of 2025 has been lodged against the petitioner and others U/S 103(2)/3(5) of the B.N.S. It is inter alia alleged in the F.I.R. that informant solemnized marriage of his daughter with the accused Satan Chauhan in the year 2019. It is alleged that out of their wedlock, they have five years old female child. It is alleged that in the marriage, Rs. 2 Lakh cash, one motorcycle, ornament, utensil and furniture were given by the informant but he could not give Rs. 2 Lakh extra. After marriage, for non-fulfillment of demand of Rs. 2 Lakh, petitioners and other accused persons started torturing the informant's daughter and they used to threaten to kill her. It is alleged that when informant's daughter stated that as per capacity her father has fulfilled their demand by selling his land, over which, petitioners and other accused persons on dated 28-08-2025 at about 04:30 pm, pressed her neck and slammed her in the wall and assaulted her severely. It is alleged that about such incident, information was given by phone by the informant's daughter and she informed the informant that all the accused persons were making plan to kill her. After one hour of such information, informant arrived at the sasural of his daughter and made inquiry and on inquiry, informant's daughter and his daughter-in-law disclosed that petitioners and other accused persons have got the poison consumed her daughter forcefully. Thereafter, informant with the help of villagers brought his daughter at Dr. K.N. Dubey, Mirganj, from where, she was referred to Sadar Hospital, Gopalganj, from where she was referred to Gorakhpur Hospital and on dated 29-08-2025 at about 09:00 am, during the course of taking her to Gorakhpur, she died. Thereafter, informant and others brought the dead of his daughter at Thawe P.S., from where, the dead body was sent to Sadar Hospital, Gopalganj for post-mortem. It is alleged that informant's daughter was murdered by giving her poison by the petitioners along with other accused persons.

3. It is submitted on behalf of accused/petitioners that they are innocent and have committed no offence and have been falsely implicated in this case. It is

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further submitted that there is no eye witness of the occurrence. It is further submitted that the husband of the deceased Satan Chauhan resides in Gulf country in connection with his livelihood and he had come home on leave for two month and he used to send the entire earning to the deceased. It is further submitted that the petitioner has got no concerned whatsoever with the affairs of the deceased and accused Satan Chauhan. It is further submitted that petitioner is virtually separated from the Satan Chauhan. It is further submitted that petitioner is added in the case with a view to extort money from the petitioner and he is a labour. It is lastly submitted that petitioner has got no criminal antecedent. On such strength, prayer for bail has been made by the petitioners.

4. Heard ld. Counsel for the petitioners as well as ld. P.P. for the State. Ld. P.P. has opposed the prayer for anticipatory bail of the petitioners.

5. Having heard both the parties and perused the case record along with case diary. From the perusal of the F.I.R. as well as case diary, it transpires that petitioners are named in the F.I.R. against whom there is allegation that they along with other accused persons have allegedly committed the murdered of the informant's daughter by getting her consumed poison. Informant and witnesses at para-05, 06, 07 and 12 of the case diary have fully supported the case of the prosecution. From perusal of the inquest report, it appears that death appears to have been caused by assaulting and poisoning. From perusal of the post-mortem report at para-54 of the case diary, it appears that all viscera are preserved for chemical analysis and hence, final opinion is kept reserved. Para-57 of the case diary shows that investigation is still pending.

6. Considering the aforesaid facts and circumstances of this case and considering the nature of offence, this court is not inclined to grant anticipatory bail to the petitioners. Accordingly, anticipatory bail prayer of the petitioners stands **rejected**.

Let a copy of this order be transmitted to the ld. Court below forthwith and the order be uploaded on C.I.S. immediately.

**(Dictated)**

**(Geeta Gupta)**

**Principal Sessions Judge, Gopalganj.**