

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46839 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- VALMIKINAGAR District- West
Champaran

=====

Nageshwar Kumar @ Nageshwar Kumar Kaji, Gender Male, aged about 28
years, son of Satya Narayan Kaji, resident of Village -Semara, P.S.
-Laukariya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Om Prakash Maharaj, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-07-2025 Heard Mr. Om Prakash Maharaj, learned counsel

appearing on behalf of the petitioner and Mr. Humayou Ahmad

Khan, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Valmiki Nagar P.S. Case No. 21 of 2025, registered for the
offence punishable under Sections 65(2), 69, 87, 351 (2) and 3
(5) of the B.N.S.

3. Considering the nature of allegation made in the
FIR, in which the complainant has alleged that she was in
relationship with the petitioner, who had promised to marry her
but the petitioner claims he is already married. It is not the case
of the either parties that the wife of the petitioner had objected



to the relationship of the petitioner with the complainant.

4. The question arises whether the allegation made by the complainant that the petitioner had promised her to marry, has any legal sanctity in the eye of law and whether such marriage will be valid in accordance with the Hindu Marriage Act, 1955 and the petitioner on the said ground can be released on bail.

5. I leave this issue to be decided by the learned District Court, who is directed to take steps in light of the law laid down by the Apex Court in the case of *Joseph Shine vs. Union of India* reported in (2019) 3 SCC 39 and see that the respective parties can resolve their dispute on their own by avoiding further litigation, which arises out of the admitted relationship between the petitioner and the complainant, which is supported by the law laid down by the Apex Court in the case of *Naim Ahamed vs. State (NCT of Delhi)* reported in (2023) 15 SCC 385.

6. The learned District Court may consider to refer the matter, thereafter, to the learned Mediator by fixing the date of appearance of the parties.

7. During the course of entire period involved in resolving the dispute, no coercive steps shall be taken against



the petitioner in connection with the aforesaid case.

8. Petitioner is directed to appear before the learned District Court on 05.08.2025.

9. In case of failure on the part of the petitioner, the interim protection granted to him shall lose its force automatically.

10. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J)

Niraj/-

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

