

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56006 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- MAHILA P.S BAGHA District- West
Champaran

=====

Nitish Kumar @ Nitish Kumar Gupta S/O Triveni Sah @Triveni Prasad R/O
Vill.- Ward No. 05, Laxmipur, Bhairoganj, P.S- Bhairoganj, Distt.- West
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Rohit Kumar, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh,APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 18-11-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Mahila (Bagaha) P.S. Case No. 14 of 2025 (G.R. No.
513/2025) registered for the offences under Sections 115(2),
126, 64, 351, 3(5) of the Bhartiya Nyay Sanhita, 2023 (in
short, the 'B.N.S.').

3. The accused/petitioner is named in the First
Information Report and is in custody since 27.05.2025.

4. As per FIR, on false pretext of marriage petitioner
established physical relationship with the informant who is
aged about 18½ years.



5. It is submitted by learned counsel appearing on behalf of the petitioner that the charge-sheet in this case after investigation submitted under section 69 of the B.N.S. It is submitted that allegation as to establish physical relationship by deceitful means is not appears convincing in the present case for the reason that upon medical examination no recent sign of sexual relationship was noticed. It is also submitted that trial of this case is yet to initiate.

6. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State duly assisted by learned counsel for the informant, while opposing the prayer for bail of the petitioner, submitted that allegation is specifically available against this petitioner, however, he could not disputed the medical report as discussed aforesaid.

8. In view of the aforesaid factual submission and by taking note of the fact as investigation of this case is already



completed, where petitioner, who is a man of clean antecedent, remains in custody since 27.05.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., West Champaran, Bagaha/concerned court, in connection with Mahila (Bagaha) P.S. Case No. 14 of 2025 (G.R. No. 513/2025), subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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

