

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65164 of 2025

Arising Out of PS. Case No.-121 Year-2025 Thana- FATEHPUR District- Gaya

Rishu Kumar S/O Mritunjay Kumar @ Mritunjay Yadav @ Mritujay Prasad
R/O Village- Jorbal Chak, P.S- Fatehpur, Distt.- Gayajee.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Fatehpur

P.S. Case No. 121 of 2025 registered for the offences under
Sections 126(2), 127(2), 115(2), 64 and 3(5) of the Bharatiya
Nyaya Sanhita.

3. The petitioner is named in the F.I.R. and is in custody
since 20.06.2025.

4. As per FIR, informant who is aged about 20 years
was in relationship with this petitioner since two years prior to
lodging of this FIR, where after their marriage was approved by
their parents organizing engagement ceremony, but subsequently
demand of dowry for Rs. 5 lakh was raised by the father of
petitioner, whereafter petitioner also denied to solemnize
marriage.



5. Learned counsel appearing on behalf of the petitioner submitted that it is not a case of physical relationship on false pretext of marriage. It is submitted that after engagement was approved by the parents physical relationship alleged to be established, however same not appears convincing out of medical examination of the victim. It is submitted that entire allegation raised in the background of dowry demand, where due to certain differences regarding gift false allegation was raised. It is submitted that after conclusion of investigation, charge-sheet was submitted on 12.09.2025 vide charge-sheet no. 675 of 2025, but not even a single prosecution witness was examined in this case, which is a complete defiance of provisions of Section 346(1) of the BNSS. While concluding the argument it is submitted that, petitioner is a man of clean antecedent and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as prima-facie allegation *qua* establishing physical relationship raised in the background of dowry demand, where not even single prosecution witness examined despite custody of



petitioner about 6 months which is in complete defiance of Section 436(1) of the BNSS, coupled with the fact as petitioner remains in custody since 20.06.2025, accordingly above named petitioner, is directed to be released on bail in connection with Fatehpur P.S. Case No. 121 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Gaya/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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