

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64374 of 2025

Arising Out of PS. Case No.-219 Year-2024 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Niraj Kumar @ Niraj Gupta S/o Parmod Kumar @ Parmod Gupta R/o Village
- Anandpur, P.S - Chandi, District - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi D/o Chote Pandit R/o Village - Palatpura, P.S - Manpur, District - Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.
For the Opposite Party/s : Mr.Surendra Prasad Singh, APP
Mr.Raj Kishor Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-10-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323,
498A, 313 of the IPC.

3. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is next submitted that informant is legally wedded
wife of one Ghanshyam Pandit, who is still alive and from the
wedlock two children were born. It is next submitted that
informant is in habit of implicating innocent people. It is next



submitted that earlier informant had instituted a case u/s 376 IPC against Vikash Kumar. It is next submitted that though informant alleges that she married the petitioner but then the said allegation is vehemently rebutted. It is also submitted that even presuming what has been alleged is true without admitting since informant is a married woman with two children, as such, without divorcing her earlier husband she could not have performed the second marriage.

4. The informant though was not called in the Court but has appeared *suo motu* and submits that she instituted the case against Vikash on instigation of Neeraj. It is also submitted that she was married to Ghanshyam Pandit about 12 years back and out of wedlock, two children were born but then Ghanshyam Pandit suffers from mental issue. The said submission of the informant is again rebutted by the learned counsel appearing on behalf of the petitioner and it is submitted that her husband does not suffer from mental illness.

5. Learned A.P.P. for the State and the learned counsel for the informant opposes the prayer for anticipatory bail application but then the learned counsel appearing on behalf of the informant is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner in view of



the submission made by the informant that she had instituted a false case of rape against Vikash on instigation of Neeraj.

6. Considering the submissions made by the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 219c/2024, subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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