

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75353 of 2025

Arising Out of PS. Case No.-516 Year-2023 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Vijay Chauhan Son of Late Ramsharan Chauhan @ Sharan Chouhan Resident
of Village - Newaji Bigaha, P.S. - Manpur, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Smt. Puja Kumari W/o Sri Krishana Kumar @ Krishnamurari Kumari, D/o
Sri Anil Chauhan R/o Govindpur Beldari, P.O. - Maghra, P.S. - Noorsarai,
Dist. - Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jai Prakash Verma
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 03-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Complaint Case No. 516C of 2023 dated
30.05.2023 registered for the offence/s punishable u/ss 498A,
354 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have tortured the informant
mentally and physically due to non-fulfillment of demand of Rs.
two lakhs as dowry. It is further alleged that the petitioner
entered her room at night and assaulted her sexually.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the father-in-law of the complainant. The petitioner neither demanded any dowry nor tortured the informant. There is general and omnibus allegation against the petitioner. Learned counsel for the petitioner has relied upon the judgment of this Court in the case of "**Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.**" Learned counsel has further submitted that Section 498A of the IPC is triable by the Magistrate. Learned counsel has further relied on the judgments in the case of **Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351** and **Md. Asfak Alam Vs. The State of Jharkhand & Anr passed in Criminal Appeal No(s). 2207 of 2023 arising out of Special Leave Petition (CRL.) No. 3433 of 2023.** The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner by submitting that the complainant gave birth to three female child out of her wedlock.

6. Considering the aforesaid facts and circumstances



of the case as well as the allegation being general and omnibus, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Biharsharif, Nalanda in connection with Complaint Case No. 516C of 2023, subject to conditions as laid down under section 482(2) of the BNSS.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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