

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77091 of 2025

Arising Out of PS. Case No.-41 Year-2023 Thana- MAHILA P.S. District- Kishanganj

Chandan Lal Kumar @ Chandan Kumar, aged about 32 years, Male, S/o Late Kameshwar Ram @ Rameshwar Ram, R/o Village - Gautam Budh Nagar, Godhna Road, P.S - Ayer, District - Bhojpur, State - Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate and Mr. Kumar Rajdeep, Advocate

For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 17-11-2025 Heard learned senior counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Kishanganj Mahila P.S. Case No. 41 of 2023 dated 31.08.2023 registered for the offences punishable under Sections 495, 498(A) and 313 of the I.P.C.

3. As per the prosecution case, the informant and the petitioner became friends through *Facebook* and the petitioner told her to marry him and on being rejected, he started threatening her by saying that she would have to face dire-consequences. It is further alleged that the petitioner abducted her and locked her in a rented room and started leading a



conjugal life with her, and also, made marriage affidavit in Islampur Court vide Sl. No. 109 dated 12.06.2023 and she was two months pregnant which he got aborted forcefully in '*Kamla Nursing Home*'. It is further alleged that after a few months, the petitioner, his first wife and other relatives started demanding Rs. 20,00,000/- and 10 bhar gold from her and on refusal, she was threatened to be killed.

4. Learned senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the informant has already married with one Bijoy Das as per Hindu rights, customs and ritual at Islampur and has also filed a case against her husband and other persons of similar nature vide Islampur P.S. Case No. 02 of 2021 for the offences registered under Section 498A read with Section 34 of the I.P.C. and Section 3/4 of the D.P. Act in which after investigation, charge sheet has been submitted. It is further submitted that from perusal of the F.I.R., it is evident that the informant herself told the petitioner to do court marriage with her and when the petitioner refused to do the same then she cooked up the story and lodged the present false case against the petitioner only to harass and extort the petitioner which clearly shows that she used this strategy to



marry a person and blackmail him for money as well as the property and the other part of the F.I.R. that the petitioner started giving pressure the informant to solemnize marriage with him and took her to a room and gave some food and she felt sleepy and when she got up she found that the petitioner has put vermilion on her head and she found that she has been sexually used, is not correct fact. The petitioner is a constable in Bihar Police posted at Jiyapokhar Police Station at Kishanganj and lives with his family and has never indulged in such type of illegal act. The informant herself has stated in the F.I.R. that the petitioner forcefully took her to Kishanganj but her father went to Kishanganj neither his parental family members nor her maternal family members has ever lodged any complaint of her missing even she was taken to their place without any information. The allegation of her being pregnant and abortion are not true and correct to the knowledge of the petitioner. It is further submitted that the alleged occurrence took place from June, 2023 and lastly she was assaulted on 17.08.2023 and the F.I.R. has been lodged on 31.08.2023 and there is delay of fifteen days in lodging the F.I.R., and no explanation for such delay has been given by the prosecution. It is further submitted that even if the entire story as stated in the F.I.R. is accepted, no



case under Section 376 of the I.P.C. is made out against the petitioner as she was in love with the petitioner and was living as a husband and wife. It is further submitted that according to the informant, while she was living with the petitioner from 17.08.2023, petitioner's wife came and abused the informant, assaulted her and ultimately agreed that she will allow her to live with the petitioner subject to payment of Rs. 20,00,000/- and 10 bhar gold is also a cooked up and false story. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 15.06.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to 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 learned S.D.J.M., Kishanganj, in connection with Kishanganj Mahila P.S. Case No. 41 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court



below on each and every date, failing which
on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are
liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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