

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28872 of 2026

Arising Out of PS. Case No.-265 Year-2025 Thana- BAIRIYA District- West Champaran

NIPPU CHAUDHARY @ NIPU CHAUDHRI S/O SURENDRA
CHAUDHRI R/o vill - Bagahi Nimiya Tola, ward no. 9, P.S.- Bairiya, Distt.-
West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX W/o YYY R/o vill - Bagahi Lamaiya tola, ward no. 15, P.s.- Bairiya,
Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s	:	Mrs. Madhuri Lata, APP
For the O.P. No.2	:	Mr. Deepak Kumar, Advocate
		Mr. Chandan Kumar Singh, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 11-06-2026 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned APP for the State
through virtual mode.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 137(2), 96, 351(2) and
3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, while the daughter
of the informant had gone for coaching, the petitioner in
association of other co-accused is said to have kidnapped her
and later on solemnized marriage with her.

4. It is submitted by learned counsel for the



petitioner that the present case arises out of love affair between the petitioner and the victim and the statement of the victim was recorded after her recovery under Section 183 B.N.S.S., wherein she has clearly stated that she was in talking terms with the petitioner for the past two years and they had both left the house on their own volition and went to Shimla and even performed marriage there. The victim has not alleged any allegations against the petitioner much less there being any allegations of any sexual exploitation. Further, the victim refused her medical examination as would be evident from the medical examination report. Petitioner, who is a young boy, aged about 25 years, is in custody since 04.09.2025 and the charge-sheet has already been submitted in this case.

5. Learned counsel for the informant/opposite party no.2 has also supported the fact that the petitioner and victim are now married to each other.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that there is love affair in the background of the case coupled with the fact that the petitioner and the victim are already married, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bairiya P.S. Case No.265 of 2025.

(Soni Shrivastava, J)

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