

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31477 of 2026

Arising Out of PS. Case No.-97 Year-2025 Thana- MAHILA PS District- Darbhanga

Vipin Kumar @ Bipin Kumar S/O Shivjee Bhagat Resident of Village-
Mohana, P.S- Katra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi, Adv.

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-05-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Mahila P.S. Case No. 97 of 2025 registered for the offences punishable under Sections 64, 351(2) of BNS.

3. As per FIR, rape was alleged to committed by petitioner upon informant who is 19 years old on 05.02.2023, while she was alone in her home at about 4:30 P.M., and also captured video of the occurrence. It is alleged that the petitioner threatened to make video viral. It is further alleged that with aforesaid threat petitioner committed rape on several occasions. It is finally alleged that despite of assurance to solemnize marriage, till date the petitioner didn't solemnized



marriage with informant.

4. It is submitted by learned counsel appearing for petitioner that present FIR was lodged after about two and half years of the first occurrence i.e., date 05.02.2023 as the FIR was lodged on 15.07.2025, which itself makes the occurrence doubtful. It is submitted that in fact the informant was in love with this petitioner and out of said love they solemnized marriage at Maa Shyama Mandir Nyas Samiti Darbhanga, but as informant was apprehensive that the petitioner might not accept her as a married wife the present false implication was raised.

5. Arguing further, it is submitted that the informant prior to lodging FIR lodged a case before *Mahila* Helpline on 17.03.2025 complaining domestic violence and also demand of dowry as raised against petitioner and his family members. It is pointed out that matter seems now compromised in view of Annexure-4, where petitioner accepted the informant as wife and they are living happily. It is also admitted by learned counsel that the petitioner solemnized marriage with informant and she is legally wedded wife of the petitioner. In support of the same learned counsel referred the photographs at



Annexure-3 available at page 27 of the present bail petition.
Petitioner claimed clean antecedents.

6. Learned APP opposed the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as petitioner already solemnized marriage with informant and *prima-facie* it appears that present implication lodged merely on the basis of apprehension that the petitioner might refuse to solemnize marriage, accordingly the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Darbhanga /concerned Court, where the case is pending in connection with Mahila P.S. Case No. 97 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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