

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42615 of 2026

Arising Out of PS. Case No.-59 Year-2026 Thana- SIMRI District- Buxar

Nirhu Chaudhari @ Niru Chaudhari @ Vishwamitr Chaudhari son of
Tarkeshwar Chaudhari Resident of Village -Piparpati PO- Achrajlal Balua,
PS- Krishngadh, Distt -Bhojpur Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Abhishek Mishra, Advocate
For the State	:	Mr. Surendra Kumar, A.P.P.
For the Informant	:	Mr. Priyajeet Pandey, Advocate
		Ms. Megha, Advocate
		Mr. Kaustubh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 31-07-2026 Heard the learned counsel for the petitioner, the

learned counsel appearing on behalf of the informant as well as

the learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Simari P.S. Case No.59 of 2026 for allegedly having
committed offences under Sections 87, 77, 351(2) and 3(5) of
the B.N.S.

3. As per the prosecution story, which has been lodged
on the basis of the written report submitted by the informant, to
the effect that all the accused persons named in the First
Information Report, including the petitioner herein are close
relatives of one Moti Chaudhary, a neighbour of the informant.



Since the accused persons used to visit the village frequently on account of their relationship with Moti Chaudhary, the informant became familiar with them and developed acquaintance with the accused persons. It has been alleged that the informant was forcefully taken to Delhi on 25.11.2025 by the accused persons on the false pretext of providing employment. After reaching Delhi, co-accused, Jitendra Chaudhary started misbehaving with her and when the informant protested against the conduct of Jitendra Chaudhary and expressed her desire to return home, all the accused persons threatened her, physically assaulted her and subjected her to continuous mental harassment. Apprehending serious danger to her life, the informant somehow managed to escape and reached her native village. Thereafter all the accused persons, named in the First Information Report, including the petitioner started making viral her private photographs on Facebook and started threatening her by making phone call on the mobile number of her father.

4. The learned counsel for the petitioner submits that the petitioner never went to Delhi along with the informant and the allegations levelled in the First Information Report are false and concocted. He submits that general and omnibus



allegations have been levelled against all the accused persons. Further, he submits that the informant has already married one another persons and even at the time of marriage with co-accused, Jitendra Chaudhary, her mother was also present. He submits that the petitioner is a young boy and his father earns his livelihood as a daily wage labourer. It is further submitted that the allegation of performing marriage has been levelled against co-accused, Jitendra Chaudhary and he has been granted regular bail. It is submitted that the petitioner was in relationship with co-accused, Jitendra Chaudhary and the informant on her own fled with him and solemnized marriage and thereafter on the pressure of the family members, she returned to her village home and lodged the present First Information Report after almost four months.

5. *Per contra*, the learned counsel for the informant opposes the prayer for grant of anticipatory bail to the petitioner and submits that the petitioner along with co-accused, Jitendra Chaudhary took away the informant on the pretext of getting her a job and started torturing her in connivance with the accused persons and finally she fled away and returned to her native village.

6. The learned A.P.P. for the State also opposes the



prayer for grant of anticipatory bail to the petitioner.

7. Having considered the rival submissions and after going through the records as well as the materials available in the case diary and the statement of the victim girl recorded under Section 183 B.N.S.S. on 22.04.2026, it would transpire that the petitioner along with Jitendra Chaudhary took her without her consent and the petitioner told her to marry Jitendra Chaudhary or else she will be killed. The petitioner was having a *Katta* in his hand.

8. Taking into consideration the facts aforesaid and the fact that the victim girl has supported the case in her statement recorded under Section 183 B.N.S.S. and has levelled allegation against the petitioner also, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner and accordingly, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Ritesh Kumar, J.)

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