

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79267 of 2025**

Arising Out of PS. Case No.-51 Year-2024 Thana- MAHILA P.S BAGHA District- West  
Champaran

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Vijay Chauhan S/o- Late Shera Chauhan R/v - Mangalpur Ward No.10, P.S. -  
Patkhauri, Distt - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Nisha Kumari D/o- Naresh Chaudhary, R/o Village- Nayagaon, Ward No.  
10, P.S.- Laukaria, District- West Champaran

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Krishna Prabhat, Advocate

Ms. Anjali Das, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**

ORAL ORDER

3      19-03-2026                      Heard the learned counsel for the petitioner and  
  
learned APP for the State.

2. The petitioner makes a prayer for bail in  
connection with Bagaha Mahila P.S. Case No.51 of 2024, F.I.R  
dated 07.12.2024 registered for the offences punishable under  
Sections 115(2), 64, 351(2) and 3(5) of the Bharatiya Nyaya  
Sanhita, 2023.

3. As per the prosecution case, on 07.12.2024, stating  
that her marriage with the petitioner was fixed in 2022. After  
engagement, the petitioner developed a relationship with her and  
allegedly established physical relations multiple times on the



promise of marriage. Later, the petitioner's family allegedly demanded Rs.2,00,000 as dowry and began delaying the marriage. The informant subsequently discovered that the petitioner had already married another woman. Based on her complaint, Amas P.S. Case No. 242/2025 was registered and investigation commenced.

4. Learned counsel for the petitioner submits that for an allegation of establishing physical relationship on account of promise of marriage and thereafter, having back-tracked from their promise, the instant F.I.R. is said to have been lodged against this petitioner. It is the case of this petitioner that the petitioner, prior to institution of the F.I.R., was already married and for ulterior reasons, the instant case has been lodged making an allegation of demand of dowry to the tune of Rs.2 lakh, which this petitioner is said to have returned to the informant. It has further been submitted that investigation in this case is completed and charge-sheet has already been filed and the petitioner is languishing in judicial custody since 25.05.2025.

5. Pursuant to the notice issued by this Court, the learned counsel for the informant has appeared and does not dispute the factual position submitted by the learned counsel for the petitioner and further submits that cordial relationship has



been restored between them.

6. Learned Additional Public Prosecutor for the State  
opposes the prayer for regular bail.

7. Considering the facts and circumstances that the  
petitioner has only been made victim of circumstances and false  
allegations and the petitioner is languishing in judicial custody  
since 25.05.2025, the petitioner is enlarged on bail on furnishing  
bail bond of Rs.10,000/- (Ten Thousand) with two sureties of  
the like amount, each to the satisfaction of learned Exclusive  
Special Judge Rape and POCSO Act, Bettiah, West Champaran,  
in connection with Bagaha Mahila P.S. Case No.51 of 2024,  
subject to the condition that the petitioner shall co-operate in the  
investigation/trial.

(Ajit Kumar, J)

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