

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88239 of 2025

Arising Out of PS. Case No.-182 Year-2025 Thana- GAMAHAIRIYA District- Madhepura

Bipin Chauhan @ Vipin Chauhan, Son of Sudeshwar Chauhan, Resident of
Village-Rupauli, P.S-Gamhariya, District -Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate Mr. Pramod Kumar Yadav, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

9 15-07-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Gamahariya P.S. Case no.182 of 2025, registered under section 80 of the Bharatiya Nyaya Sanhita, 2023 and sections 3 and 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the daughter of the informant was married to the petitioner on 15.2.2024. It is stated that a daughter was born out of the said wedlock. Later the petitioner started having an affair which was objected to by informant's daughter on which the petitioner used to threaten that he would marry for a second time. Demand of dowry to the tune of Rs.5 lacs was made. The informant states that the father of the petitioner informed him on telephone about his daughter



having consumed poison. On reaching the hospital, he found his daughter to have died.

4. Learned Senior counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason of his being the husband of the deceased. The allegations of torture and demand of dowry are all false and concocted. No complaint at any point of time was made by the informant or the members of his family. The cause of death could not be ascertained in the postmortem examination and the viscera was sent to the FSL Lab for analysis. The petitioner is in custody since 28.8.2025 and has no criminal antecedent. He undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner happens to be the husband of the deceased. The report of the FSL, Bhagalpur has been received according to which Aluminium Phosphide (Celphos) was discovered in the sample. It is thus submitted that the application for bail be rejected.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 19.5.2026 of the learned District and Additional Sessions Judge-III,



Madhepura, charges were framed against the petitioner on 16.2.2026, however none of the seven witnesses named in the charge-sheet have been examined by the prosecution inspite of summons being issued against them as also bailable warrants having been issued on 13.5.2026.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., charge having been framed in the learned trial Court, no witness appearing for examination on behalf of the prosecution inspite of issuance of summons and bailable warrants by the learned trial Court and especially the petitioner having remained in custody since 28.8.2025, the petitioner is directed to be enlarged on bail in connection with Gamahariya P.S. Case no.182 of 2025, 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 Sessions Judge, Madhepura.

(Partha Sarthy, J)

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