

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8407 of 2025

Arising Out of PS. Case No.-26 Year-2023 Thana- MAHILA P.S. District- Rohtas

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Ram Ekbal Chaudhary @ Ram Ekbal Kumar @ Munna @ Munna Kumar @
Muna S/O Shanti Chaudhary @ Shanti Singh Resident of Village- Parsan
Tola, P.S- Nokha, Dist.- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Madhu Kumari D/O Late Rajeshwar Chaudhary R/O Village- Kuber Tola,
P.O- Kharari, P.S- Karghar, Distt.- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 6 06-08-2025 1. Pursuant to the order, dated 23.07.2025, both the husband-petitioner and wife-opposite party no. 2 are present in-person, in Chambers, along with their respective counsel. This Court persuaded the parties for reconciliation, however, could not succeed in the same. Accordingly, this anticipatory bail application is being decided on its merit.
2. The petitioner apprehends his arrest in connection with Mahila Police Station Case No. 26 of 2023, dated 03.07.2023, registered for the offences punishable under Sections 323/498-A/34 of the Indian Penal Code and Sections 4 of the Dowry Prohibition Act.



3. The allegation, as per the complaint case, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner on 01.02.2023 in a temple. After four days, the petitioner, along with other accused persons, started demanding a motorcycle or ½ bhar gold or One Lakh rupees as dowry. When the complainant refused and stated that her father had passed away and her mother had already spent Two Lakh Rupees on marriage after taking loan, she was being assaulted and tortured mentally and physically. After ten days, the complainant was took to her parental home due to non-fulfillment of demand and on 12.05.2023 i.e. after three months, the petitioner brought her back to matrimonial home, where she was again subjected to assault and torture by the accused persons. On 10.06.2023, when the petitioner had gone to Mumbai, the complainant was ousted from her matrimonial home.
4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of false and fabricated story. The marriage never took place between the petitioner and complainant-



opposite party no. 2. He next submits that the side of the petitioner has earlier lodged a Complaint Case No. 675 of 2023, dated 30.06.2023, against the petitioner and others, and in retaliation present case has been lodged. He further submits that due to dispute over motorcycle dash, a settlement between the both the parties took place before the Panchayat for a sum of Rs. 80,000/-. However, the complainant side become greedy and pressurized the petitioner to marry the complainant and upon refusal, the petitioner has been made accused.

5. Learned counsel for the complainant-Opposite Party No. 2 submits that vide order, dated 02.07.2025, of this Court, counter affidavit has been filed bringing on record the photographs showing marriage between the petitioner and opposite party no 2, annexed at Annexure-R/1 to the counter affidavit. He next submits that elder brother of the petitioner, namely, Radheshaym Chaudhary, who had earlier married in the village of the opposite party no. 2, wanted to solemnized marriage of the petitioner with the complainant as they belonged to the same caste. There is allegation against the petitioner and other co-accused persons of demand of dowry and mental and physical



torture caused to the complainant.

6. After having heard learned counsel for the parties and taking into consideration the nature of allegation and taking into account the materials available on records, including the impugned order and counter affidavit, prima facie it appears that marriage had taken place between the petitioner and complainant and there is allegation of demand of dowry and mental and physical torture, I am not inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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