

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16419 of 2025

Arising Out of PS. Case No.-1503 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Deepak Chaudhary Son of Kedar Chaudhary Resident of Village- Tilangahi,
P.s.- Bairiya, Distt.- East Champaran (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Gita Devi Wife of Deepak Chaudhary, D/O- Late Lalbahadur Sahani Resident of Village- Tilangahi, P.s.- Bairiya, Distt.- East Champaran (Bihar), presently residing at Village- Dhankharaiya, P.S.- Harsidhi, Distt.- East Champaran (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Tiwari
For the Opposite Party/s	:	Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 13-08-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 1503 of 2023 dated 12.06.2023 registered under section 420, 498(A), 494 / 34 of the I.P.C.

3. As per the prosecution case the petitioner -Deepak Chaudhary deceived the complainant in minor age by trapping her in love and sexually exploited her by giving false hope of marriage and when the complainant became pregnant she was forced to get aborted and the petitioner denied to marry with the complainant. On the pressure of the brother of the complaint the petitioner agreed to marry and marriage was solemnized on



19.12.2016. After marriage behaviour of the accused persons including the petitioner changed and petitioner started demanding Rs. 05 Lakh as dowry and due to non fulfillment of the demand the petitioner started abusing and threatening the complainant and lastly ousted her from her matrimonial home. Later on she came to know that the petitioner has solemnized second marriage with one Saloni Kumari.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. The petitioner never demanded any kind of dowry from the complainant. After marriage the complainant wanted to live separately from her in-laws which was objected by the petitioner and the complainant herself left her matrimonial home and went to Delhi with another person. He next submits that marriage was solemnized on 15.12.2016 and after eight years in the year 2023 it is alleged that petitioner demanded Rs. 5 Lakhs as dowry which itself shows malafide intention of the complainant.

5. Learned counsel for the informant / opposite party no. 2 vehemently opposed the prayer for anticipatory bail and submits that the petitioner had performed second marriage.

6. Regard being had to the submission made by the parties,



taking into consideration the nature of allegation, the fact that petitioner constantly harassed the complainant due to non fulfillment of demand of dowry and *prima facie* during subsistence of first marriage the petitioner performed second marriage which amounts to giving mental torture to the complainant, accordingly, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

7. However, if the petitioner surrenders and seeks regular bail, it is expected that the learned court below shall consider the prayer for bail on its own merit without being prejudiced by the fact that the present anticipatory bail application has been rejected by this court.

(Anil Kumar Sinha, J)

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