

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17283 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- MAHILA P.S. District- Samastipur

Babloo Ram Son of Late Madhu Ram R/o - Koyalakund, P.S - Kalyanpur,
District - Samastipur, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Suman Kumari wife of Babloo ram village- Ambedakar Nagar, ward No. 33,
Ps- Samastipur, Dist- Samstipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 13-08-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Samastipur Mahila P.S. Case No. 11 of 2024 dated 19.02.2024
registered under section 498(A), 323, 341, 504, 506 and 34 of
the I.P.C.

3. As per the first information report the marriage of the
informant was performed with the petitioner two and half years
ago. It is alleged that the petitioner - Babloo Ram and other
in-laws members pressurized the informant for bringing
Rs. 3 Lakh as dowry and due to non fulfillment of the demand
of dowry lastly ousted her from the matrimonial home. It is
further alleged that the accused persons also taunted her



regarding her black complexion.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. The petitioner never demanded any dowry either in kind and / or cash. The petitioner is a poor labour working in village as such the informant-opposite party no. 2 is not ready to live with the petitioner. The petitioner is ready to settle the matrimonial dispute with the opposite party no. 2.

5. Learned counsel for the informant / opposite party no. 2 vehemently opposed the prayer for anticipatory bail. He submits that the matter was referred for mediation vide order dated 14.05.2025 but despite sincere efforts of the learned Mediator the mediation failed (mediation report- flag 'M') and informant came to know that prior to the order dated 14.05.2025 the petitioner had performed second marriage.

6. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner constantly harassed the informant due to non fulfillment of demand of dowry, taunted her regarding her black complexion and *prima facie* during subsistence of first marriage the petitioner performed second marriage which amounts to giving mental torture to the informant, 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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