

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23044 of 2025

Arising Out of PS. Case No.-209 Year-2021 Thana- COMPLAINT CASE -
MUZAFFARPUR(WEST) District- Muzaffarpur

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Pramod Kumar Son of Ram Pukar Sahani Resident of Village - Madhaul,
P.S.- Saraiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari Daughter of Shiv Balak Sahani Present Address Village -
Bathna, P.S.- Motipur, Distt.- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumit Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 02-07-2025 Heard learned counsel for the petitioner and learned

APP for the State. No one appears on behalf of Opposite Party
No. 2, despite the fact that notice was issued to Opposite Party
No. 2 vide order dated 01.05.2025 under both process. It is
further evident from the record that Opposite Party No. 2 has
personally received the ordinary notice.

2. Considering this aspect of the matter, that the
ordinary notice has been received by Opposite Party No. 2
herself, this Court treats the notice as validly served upon
Opposite Party No. 2.

3. The petitioner is apprehending arrest in connection
with Muzaffarpur Complaint Case No. 209 of 2021, lodged



under Sections 323, 379, 341, 420, 498(A) & 34 of the Indian Penal Code and Section 3 of the Dowry Prohibition Act in which the Court of A.C.J.M.-IV, Muzaffarpur (W) has taken cognizance under Sections 323 and 498(A) of the Indian Penal Code.

4. In support of his argument, learned counsel for the petitioner has produced the cognizance order dated 05.01.2023, which has been kept on record.

5. As per the prosecution, it has been alleged that the marriage between the petitioner and Opposite Party No. 2 was solemnized on 09.12.2020. After the informant returned to her *mayeka* (parental home), the petitioner allegedly demanded Rs. 1,00,000/- (Rupees One Lakh) and a motorcycle. It was further alleged that the petitioner threatened Opposite Party No. 2, stating that if the said amount and motorcycle were not provided within five days, he would not allow her to live with him. Subsequently, it is alleged that the petitioner abused Opposite Party No. 2, forcibly threw her out of his house, and took possession of all her clothes and jewellery. Thereafter, the present case has been lodged.

6. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further



submits that the marriage of Opposite Party No. 2 was initially solemnized with the petitioner's elder brother, and after the death of the elder brother, the petitioner married Opposite Party No. 2 with the intention of ensuring that her life was not ruined. It is further submitted that the present case has been filed with an ulterior motive, as Opposite Party No. 2 started demanding a share in the petitioner's property. When the petitioner did not agree to her demands, the present case was instituted solely to create pressure upon him.

7. Learned counsel also submits that Opposite Party No. 2 has never been subjected to assault or cruelty, either by the petitioner or by her in-laws. Rather, under the influence and misguidance of her family members, the present false and frivolous case has been lodged.

8. Learned APP for the State opposes the prayer for bail of the petitioner and submits that, from the contents of the complaint petition, the facts appear to be otherwise.

9. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as



mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of A.C.J.M. IVth, Muzaffarpur West, in connection with Muzaffarpur Complaint Case No. 209 of 2021, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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