

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33032 of 2025**

Arising Out of PS. Case No.-546 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

Kamlesh Chaudhary, S/o Late Bhekha Chaudhary, R/o Village-Fatehpur, P.S.-
Makhdumpur, District- Jehanabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

4 09-10-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Makhdumpur P.S. Case No.546 of 2024 registered for the offences punishable under Section 140(1) read with 3(5) of the Bhartiya Nyaya Sanhita (for short 'B.N.S.') as well as Sections 3 and 4 of the Dowry Prohibition Act.

3. The accused/petitioner is named in the FIR and is in custody since 26.03.2025.

4. Allegation against the petitioner is to kidnap the married daughter of informant, who is none but the wife of petitioner after family quarrel, where the kidnapping was



done with intention to kill her. The allegation of demand of dowry for cash of Rs.50,000/- was also raised against the petitioner. As per FIR, married daughter of informant found traceless since 30.10.2024.

5. It is submitted by learned counsel appearing for the petitioner that the petitioner was pressurized by the informant to remain permanently at his home as “Gharjamai”, which was not accepted by petitioner and, therefore, the present false case was lodged. It is submitted that in fact after a domestic quarrel, the daughter of informant left her matrimonial home at her own and went to her parental village/home whereafter she is missing. It is pointed out by learned counsel that allegation *qua* demand of dowry is levelled against petitioner only to aggravate the allegation. In this context, it is submitted that present FIR was lodged with delay of five days without any explanation. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has submitted and, as such, there is no chance of tampering with the evidence and moreover petitioner is a man of clean



antecedent.

6. Learned APP while opposing the prayer of bail submitted that the informant was in process of search of her daughter and, therefore, the delay of five days appears primarily explained. It is submitted that petitioner being the husband is duty bound to explain regarding whereabouts of the daughter of informant, who is none but his wife. It is submitted that on last occasion after domestic violence, the wife of petitioner left her matrimonial home with this petitioner only, whereafter she is traceless.

7. In view of aforesaid factual submissions and by taking note of fact as the wife of petitioner, who is the daughter of the informant is still traceless immediately after domestic violence, which took place on 30.10.2024 as per FIR for which proper explanation *prima facie* not appears to be furnished by petitioner, accordingly, the prayer for bail of petitioner stands rejected herewith, for the present.

8. However, as petitioner is in custody since 26.03.2025, the learned trial court is directed to conclude the trial preferably within nine months from receiving of a copy of



this order, failing which the petitioner may renew his prayer
for bail, if so advised.

(Chandra Shekhar Jha, J.)

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