

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78207 of 2024**

Arising Out of PS. Case No.-855 Year-2024 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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1. Nikesh Ram S/o Dasai Ram, R/o vill - Chargahan, Post - Turkauliya, P.S. - Turkauliya, Distt. - East Champaran.
  2. Dasai Ram S/o Late Bhagelu Ram, R/o vill - Chargahan, Post - Turkauliya, P.S. - Turkauliya, Distt. - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Chandrama Devi, W/o Nikem Ram, D/o Late Gaya Ram, R/o Vill - Chargahan, Post - Turkauliya, P.S. - Turkauliya, Distt.- East Champaran, at present residing at Mananpur, Nawada, Post and P.S. - Govindganj, Distt.- East Champaran.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      22-03-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioner no.1 happens to be husband of the  
O.P. No.2 whereas the petitioner no.2 is father-in-law, are  
apprehending their arrest in connection with Trial Case No. 561  
of 2024 arising out of Complaint Case No. 855 of 2024, wherein  
cognizance has been taken for the offence punishable under  
Section 498A of the Indian Penal Code.

3. Allegedly, the marriage of the complainant was  
solemnized with the petitioner no.1 on 05.06.2022 as per the



Hindu rites and customs. However, soon after the marriage, the victim was subjected to demand of dowry and finally ousted from her matrimonial home on 30.03.2023 after snatching all her belongings. It is also alleged that the O.P. No.2 also gave birth to a female child but the petitioners are not taking care of the baby child and the O.P. No.2, apart from the allegation of torture and demand of dowry.

4. Learned counsel for the petitioners contended that the complainant was ousted from her matrimonial home on 30.03.2023 but the present complaint has been filed on 10.04.2024 after a year without assigning any reason. It is the O.P. No.2, who does not want to reside with the petitioners and despite all the efforts of the petitioners to bring the O.P. No.2 in her matrimonial home, they did not succeed. Taking note of the aforesaid fact, notice was issued to the O.P. No.2 but she chose not to appear. Moreover, the petitioners bear fair antecedent.

5. On the other hand, learned counsel for the State has drawn the attention of this Court to the order, whereby the anticipatory bail application of the petitioners was disposed off by the Additional Sessions Judge-X, East Champaran, Motihari vide order dated 11.09.2024, directing the petitioners to approach before the jurisdictional court in the light of the



mandate of this Court in the case of **Naushad Ansari v. The State of Bihar [Cr. Misc. No.3536 of 2024]**. However, the petitioners instead of approaching the jurisdictional court has moved before this Court.

6. Regard being had to the submissions made on behalf of the parties and considering the submissions advanced on behalf of the petitioners and their fair antecedent, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 2<sup>nd</sup> Class, East Champaran at Motihari in connection with Trial Case No. 561 of 2024 arising out of Complaint Case No. 855 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further condition that one of the bailors shall be the own/close family members of the petitioners.

**(Harish Kumar, J)**

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