

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62107 of 2021**

Arising Out of PS. Case No.-1323 Year-2017 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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DHANJI SAH @ DHANJEE GUPTA SON OF VIPIN BIHARI GUPTA R/O
VILLAGE- SHEOSAGAR, P.S.- SHEOSAGAR, DISTRICT- ROHTAS
(SASARAM)

... .. Petitioner/s

Versus

1. The State of Bihar
2. REKHA KUMARI WIFE OF DHANJEE SAH @ DHANJEE GUPTA AND
D/O- PUKAR SAH AT PRESENT RESIDENT OF VILLAGE- ANWARI,
P.S.- MOHANIA, DISTRICT- KAIMUR AT BHABUA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sujeet Kumar
For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 28-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Complaint Case No. 1323 of 2017 instituted for the offence
punishable under Section 498A of the Indian Penal Code.

This case relates to torture and harassment due to non-
fulfillment of motorcycle as further dowry demand .

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is husband of the complainant and
has been falsely implicated in this case. He has never demanded



any thing from the complainant.

Learned counsel for the informant and learned APP appearing for the State have opposed the prayer of Bail and submitted that petitioner has performed second marriage with another lady without getting divorce from first wife and in such situation, it would not be convenient for the informant to lead the conjugal life with the petitioner. Second marriage without getting divorce also comes within the purview of torture to the complainant by the petitioner. This fact is also mentioned in the impugned order.

Having heard learned counsel for the parties and taking into consideration that it is a matter of bigamy against the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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