

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6917 of 2025

Arising Out of PS. Case No.-2288 Year-2020 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Saurabh Bhardwaj Son of Rakesh Sinha @ Rakesh Kumar Sinha Resident of
Village - Mammadabad, P.S.- Sarai, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saraswati Kumari Wife of Saurabh Bhardwaj, Daughter of Late Virendra Sahani Resident of Gajipur, Ward No.11, P.O. - Ufraul, P.S.- Desri, District - Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyesh Kumar
For the Opposite Party/s : Mr.Shyam Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 16-09-2025 Heard learned counsel for the petitioner as well as the
learned counsel for the complainant.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 2288 of 2020, registered for the offences
punishable under Sections 498A of the Indian Penal Code.

3. The marriage of the complainant, according to the
recitals of the complaint petition, was solemnized with the
petitioner in the year 2016. The marriage was registered and a
certificate was issued. Thereafter, the accused persons
demanded dowry of Rs. 5 lakhs. Out of the wedlock of the
couple, a male child, *Shubham Bhardwaj* was born. It has also
been alleged that after retaining the belongings of the
complainant, the accused persons ousted her from the



matrimonial house.

4. Learned counsel for the petitioner has submitted that having concealed the factum of her earlier marriage, the complainant solemnized her second marriage with the petitioner. The petitioner was not aware of the fact that she had already solemnized marriage with another person and had two sons. He has further submitted that her first marriage is also mentioned in the enquiry report submitted by a police officer to the Superintendent of Police. He has also submitted that in Mahila Hajipur P.S. Case No. 49 of 2020, after investigation, the police have submitted the final form, which is annexed with the record.

5. On the other hand, learned counsel for the complainant has opposed the prayer for bail and submitted that it is not a fact that the petitioner was already married. He has further submitted that the petitioner has filed cases for divorce twice against the complainant and withdrawn both of the cases, which shows that the petitioner does not intend to divorce the victim. He has also submitted that learned Principal Judge, Family Court, Vaishali, granted interim maintenance to the complainant of Rs. 9,000/- per month for herself and her children. The order was passed in the year 2022, but the petitioner is not obeying the order and has not paid a single



rupee to the victim to which the learned counsel for the petitioner replied that he has challenged the order in revision before the Hon’ble Patna High Court but fairly admitted that there is no stay against that order.

6. The order of interim maintenance was passed by the learned Family Court in the year 2022, but not a single rupee has been paid to the victim and according to the submission of the learned counsel, she is on the verge of starvation. She is residing with her children, having no financial means.

7. Considering the above-mentioned facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, it is *rejected*.

(Nawneet Kumar Pandey, J)

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