

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37010 of 2025

Arising Out of PS. Case No.-801 Year-2022 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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1. Rajiv Sada @ Rajeev Sada S/O Ram Narayan Sada R/O Village- Sukhasan Ward No.-07, P.O- Anandpur Marandhih, P.S- Morkahi (O.P. Amausi) at present P.S- Amausi, Dist.- Khagaria.
 2. Sabo Devi W/O Rajiv Sada @ Rajeev Sada R/O Village- Sukhasan Ward No.-07, P.O- Anandpur Marandhih, P.S- Morkahi (O.P. Amausi) at present P.S- Amausi, Dist.- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Gunjan Kumari W/O Rajiv Sada @ Rajeev Sada R/O Village- Sukhasan Ward No.-07, P.O- Anandpur Marandhih, P.S- Morkahi (OP- Amausi), Distt.- Khagaria at present- Gunjan Kumari, D/O Suresh Sada resident of Village- Kathdumar Ward No. 06, P.S- Bakhtiyarpur (Kanaria O.P), present P.S- Kanaria, Distt.- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-09-2025

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for grant of anticipatory bail apprehending their arrest in connection with Complaint Case no.801C of 2022 registered for the offence punishable under sections 498A, 341, 323, 341, 406, 494, 504, 506 A of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the petitioner no.1 was married to the opposite party no.2 in the year 2019. It is



stated that soon thereafter the accused persons including the petitioner no.1 herein who happens to be the husband of the opposite party no.2 started to torture the opposite party no.2 and she was finally ousted from the house. The petitioner no.1 without having obtained divorce married for a second time with petitioner no.2.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the case. Though it is not denied that he married petitioner no.2, however, he is ready to live amicably with the opposite party no.2 as well. The petitioners have no criminal antecedent and undertake to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the complaint together with cognizance having been taken in the case also under section 494 of the Indian Penal Code and the conduct of the petitioner no.1 of not only having married for the second time and even moved application for anticipatory bail along with his second wife, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.



7. The petitioners are directed to surrender in the
learned Court below within a period of four weeks.

(Partha Sarthy, J)

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