

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44731 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- MAHILA P.S. District- Saharsa

Rajan Kumar Son of Deep Narayan Yadav R/o village - Naula, Ward No.- 4,
P.S.- Nauhatta, District - Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari Daughter of Arvind Yadav Resident of Naula, Ward No.- 4,
P.S.- Nauhatta, District - Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh
For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 31-03-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
498A, 504, 506 and 34 Indian Penal Code and Sections 3/4 D.P.
Act.

3. Learned counsel for the petitioner submits that the
instant FIR has been instituted by the O.P. No.2 with an
allegation that she married the petitioner in a temple after
fleeing with him but when she went to the house of petitioner
after marriage she was ousted from her matrimonial home.

4. Learned counsel next submits that petitioner asserts
and submits that he is not married to the O.P No.2. It is further



submitted that O.P. No.2 before different forum has taken a different stand. It is submitted that prior to instituting the instant FIR, the O.P. No.2 had instituted Complaint Case No.143/2024 in the Court of learned CJM, Saharsa, wherein she alleged that she was kidnapped by the petitioner and thereafter her marriage with the petitioner was performed. It is further submitted that a maintenance case has also been filed by the O.P. No.2 in the Court of learned Principal Judge, Family Court, Saharsa being Maintenance Case No.43/2024, wherein she has stated that her marriage with the petitioner was performed in accordance with Hindu rituals. It is further submitted that father of the petitioner had also instituted Complaint Case No.136C/2024 in the Court of learned CJM, Saharsa alleging that petitioner was kidnapped by the family members of the O.P. No.2 herein. It is further submitted that the learned Principal Judge, Family Court, Saharsa in Maintenance Case No.43/2024 has directed the petitioner to pay a sum of Rs.3000/- per month to the O.P. No.2 towards maintenance but then the same has been assailed before this Hon'ble Court in Civil Miscellaneous Case No.1120/2025, which is pending adjudication. Learned counsel for the petitioner thus submits that when the marriage itself is being disputed by the petitioner and even the O.P. No.2 before



different forum has stated about her marriage in different manner, whether it would be prudent for the Court to send to petitioner to jail at this stage.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the O.P. No.2 opposes the prayer for anticipatory bail of the petitioner but then the learned counsel appearing on behalf of the O.P. No.2 is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that O.P. No.2 before different forum has taken a different stand with regard to her marriage with the petitioner.

6. After hearing the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahila P.S. Case No.02/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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