

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-IV, SAHARSA

A.B.A. NO. 278/2026

Santu Kumar @ Santun Kumar

....Petitioner

versus

The State of Bihar

Order

21.04.2026

1. Anticipatory bail application has been filed on behalf of petitioner namely **1. Santu Kumar @ Santun Kumar**, who apprehends his arrest in connection with Complaint **Case No. 1050C/2024** registered under sections 85, 82(1) of BNS and 3(4) of Dowry Prohibition Act.

2. The fact of the case in brief is that complainant wife Madhu Kumari has filed a complaint case no. 1050C/2024 against the accused husband along with other accused persons alleging therein that her husband and his family member use to demand dowry of Rs. 2 lakhs and when the complainant wife and her parents shown their inability, then the complainant wife was subjected to cruelty, abuse and toucher. It has been further alleged that the **accused husband has performed second marriage on 08.03.2024 with one Sarita Devi**, without obtaining divorce with the complainant wife.

3. Heard, Ld. counsel for the petitioner and Ld. APP and counsel for the informant wife.

4. Ld. Counsel for the petitioner submits that complainant wife has filed a false and fabricated case and submits that a Divorce Case no. 58/2023 was filed by the accused husband, which was withdrawn and later on, Mutual Divorce case no. 30/2024 was filed in the Family Court, but the complainant wife is not appearing in the same mutual divorce case.

5. Ld. Counsel for the petitioner further submits that a panchayat was held and the panchnama was prepared between the parties, to which Ld. Counsel for the complainant submits that the signature of complainant wife on panchnama is a forged signature and the husband has committed forgery and fabrication of document.

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6. This court has compared the signature of complainant wife made on said panchnama with signature on complaint petition and prima facia, it appears that both the signature is not same and similar.

7. Ld. APP along with counsel for the complainant wife opposes the bail.

8. Considering the **demand of dowry** as social evil and further on account of demand of dowry, **inflicting cruelty upon the wife is more serious social evil** and crime **AND** statement of complainant wife on oath that **accused husband has performed second marriage** with one Sarita Devi on 08.03.2024 without obtaining legal divorce with the complainant wife, this court **is not inclined** to grant anticipatory bail to the accused/petitioner namely Santu Kumar @ Santun Kumar, hence the present bail petition is hereby **rejected**.

Accordingly the present bail petition is disposed off.

Dictated
Sd/-

Avinash Kumar-I
Addl. Sessions Judge-IV
Saharsa