

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28648 of 2019

Arising Out of PS. Case No.-1208 Year-2017 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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PRABHAT KUMAR @ BHANU @ PRABHAT KUMAR THAKUR S/o
Late Ram Bilas Thakur R/o village- Marbari Dharmshala Road Kusumbati
Girls Middle School, Dalsingsarai, P.S.- Dalsinghsarai, District- Samastipur
... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Gauri Kumari W/o Prabhat Kumar @ Banu, D/o Sri Amarnath Thakur R/o
village- Ratanpur Ward No. 20, P.S.- Nagar District- Begusarai
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shree Niwas Singh
For the Opposite Party/s : Mr.Anil Prasad Singh
For the Informant : Mr. Soudip Kuamr Goutam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-08-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.120C of 2017 , registered for offences
punishable under Section 498(A) of the Indian Penal Code and
Section 4 of the D.P.Act.

Allegation against the petitioner, who happens to be
husband of the complainant is of demand of dowry and torture
to her, however, it appears that the main grievance of the
complainant is that he has illicit relationship with his *Bhabhi*.
On appearance of the Opposite Party No.2, the matter was
referred to the Patna High Court Mediation and Re-conciliation
Centre but from the report of the Mediator at flag 'M', it
appears that the mediation has failed.

Submission of the learned counsel for the petitioner is



that the allegation of illicit relationship is false and concocted and he is still ready to keep her with dignity and care either in his house or he is still ready to keep her outside the house at any other place.

Heard learned A.P.P. and the learned counsel for the O.P.no.2, who has opposed the prayer for bail on the ground that petitioner has illicit relationship with his *Bhabhi* and she was assaulted also..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Begusarai in connection with Begusarai Complaint Case No.1208C of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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