

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56458 of 2019

Arising Out of PS. Case No.-418 Year-2019 Thana- MASAUDHI District- Patna

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GORE LAL KUMAR @ ADITYA RAJ Son of Rabindra Ram Resident of
Village - Nimi, P.S.- Shekhopur Sarai, Dist.- Sheikhpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kumari Monika Rani W/o Gore Lal Kumar, D/o Vinod Prasad Resident of
Village - Manichak Masaurhi, P.s.- Masaurhi, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Chandra

For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-09-2019 This application, for grant of anticipatory bail, arises out
of Masaurhi P.S. Case No. 418 of 2019, disclosing offences under
Sections 341, 323, 504 and 498(A) of the Indian Penal Code.

Petitioner happens to be husband of the informant and
allegation against him is that he used to come along with his friends
in drunken condition and force the informant to establish physical
relationship with his friend and when she used to object petitioner
assaulted him and when she went to the house of his father, petitioner
came there and assaulted her.

Submission of learned counsel for the petitioner that the
allegation is completely absurd and it is not believable that a husband
will ask his wife to make physical relationship with other person. In
fact the informant herself does not want to live with the petitioner



and making false allegations and in the court below also she had appeared and flatly refused to live with the petitioner and although there is allegation of assault but no injury report is available on record.

Heard learned A.P.P. as well as learned counsel for the informant, who has appeared suo motu and opposed the prayer of the petitioner for grant of anticipatory bail.

Having heard both sides, considering the facts and circumstances, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Masaurhi, in connection with Masaurhi P.S. Case No. 418 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure. It is further subject to the condition that if the informant desires to live with the petitioner, petitioner will keep her with full honour and dignity.

(Vinod Kumar Sinha, J)

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