

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37809 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- MAHILA P.S. District- Kishanganj

Prahlad Bosak @ Parlad Bosak @ Pread Bosak Son Of Atvari Basak R/O
Village- Bhorha, P.S.- Terhagachh, District- Kishanganj, Pincode- 855101

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pratibha Kumari D/O Kamla Bosak R/O Village- Bhorha, P.S.- Terhagachh,
District- Kishanganj, Pincode- 855101

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Mishra, Adv.
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 17-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mahila (Kishanganj) P.S. Case No. 19 of 2022 lodged under
Sections 376, 504 & 506 of the I.P.C.

As per the prosecution case, the informant has alleged
that her marriage was solemnized in Nepal. But due to
differences she returned to her village. It has been alleged that
when she returned in the village, sexual relation developed
between informant and the petitioner. Since, last one year, they

were in relation. When the informant become pregnant, the petitioner refused to marry. On 29.04.2022 the informant got knowledge that petitioner is going to marry with another girl, whereas the informant is alleged to be pregnant from the petitioner.

Learned counsel for the petitioner submits that petitioner's antecedent is clean and he is in custody since 01.05.2022 and submits that from the F.I.R., it transpires that there are physical relation between informant and petitioner since last one year which indicates that there is no force in development of the relation between them. But subsequently, the differences had developed. Counsel submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State vehemently opposes the prayer for bail and submits that a sympathetic view may be taken towards the said lady and it is necessary in the interest of justice that she should be heard.

In this view of the matter, **provisional bail** is hereby granted to the petitioner on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Kishanganj in

connection with Mahila (Kishanganj) P.S. Case No. 19 of 2022 with condition that he shall settle this issue with the informant after releasing from jail. Both shall appear before the Trial Court and the Trial Court is directed to refer this matter before mediation or Trial Court may himself play the role of conciliator. If settlement took place, the provisional bail granted to petitioner shall be confirmed and if the settlement shall not take place, his bail bond shall be cancelled.

With this observation, the bail application stands disposed off.

(Dr. Anshuman, J.)

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