

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2152 of 2026

Arising Out of PS. Case No.-394 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

Govind Kumar Thakur @ Govind Kr. Thakur S/o- Late Ram Chandra Thakur
Resident of Village-Jagdar, PS- Lakhanpur, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-04-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of the
informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 120(B),
468, 471, 494 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that he is employed as the Manager in SBI and was
married to Mala on 07.02.2008, who is a Clerk in Indian Overseas
Bank, and, out of the wedlock, a child was born on 21.01.2012
whose Birth Certificate No. is 751315848. Further, Mala
performed her second marriage with Govind (petitioner) without
obtaining divorce from the informant. It is next alleged that Mala
and Govind conspired to change the identity of his son who was



born on 21.01.2012 by concealing his birth certificate as well as residence and father's name. It is further alleged that they produced forged document as original before the Unique Identification Authority and procured Aadhaar Card No. 483992338463. It is next alleged that out of the illegal wedlock in between Mala and Govind, a son was born and son of the informant and Mala along with son of petitioner and Mala were admitted in DPS and name of the father is recorded as Govind (petitioner). It is next alleged that Mala in her FD account entered the name of Govind as nominee and the informant was attacked on 06.09.2023 while he had gone to Darbhanga Court in connection with a case, hence, apprehends threat to life and his image in the society also got tarnished.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that relevant and correct facts have been concealed in the FIR. It is next submitted that petitioner married Madhuri on 05.12.2014 and a son, out of the wedlock, was born and since the conjugal relationship deteriorated, as such, a divorce case was filed and the marriage in between the petitioner and Madhuri got dissolved by judgment dated 21.01.2021 in MM No. 231 of 2019 passed by the learned Principal Judge, Family Court, Madhubani. It is also submitted that informant was married



to Mala and a son was born on 21.01.2012 but Mala was tortured by the informant, hence, Mala filed Complaint Case No. 331 of 2014 dated 21.03.2014 against the informant but the case was withdrawn on intervention of well wishers. After withdrawal of the Complaint Case No. 331 of 2014, torture again started by the informant, thus, Mala along with her child came to her parental home and instituted Complaint Case No. 1786 of 2014 in the Court of learned Chief Judicial Magistrate, Darbhanga. It is further submitted that after the Complaint Case No. 1786 of 2014 was instituted, the informant again tried to woo Mala and promised that he will keep her with honour and dignity, as such, Mala stopped pursuing Complaint Case No. 1786 of 2014, hence, the informant was acquitted in the said case but after acquittal the torture again continued but Mala for her child, filed Mat. Case No. 78 of 2019, under Section 9 of the Hindu Marriage Act, in the Court of learned Principal Judge, Family Court, Darbhanga for restituting her conjugal rights. The informant appeared in Mat. Case No. 78 of 2019 and filed his reply and the reply was to the effect that he does not intend to continue with the marriage. It is next submitted that during pendency of Mat. Case No. 78 of 2019, the petitioner and Mala came in contact and became close to each other thereafter Mala filed Mat. Case No. 16 of 2022 seeking divorce from the informant. It is also submitted that Mat. Case No. 16 of 2022 is



still pending adjudication. It is fairly submitted that petitioner and Mala are waiting for the outcome of Mat. Case No. 16 of 2022. It is further submitted that if Mala succeeds in obtaining divorce, the petitioner and Mala would get married. It is next submitted that cases instituted by Mala were much prior to the present case instituted by the informant but then all these facts have been concealed and an impression is being given as if Mala performed her second marriage with the petitioner without obtaining divorce and from the said wedlock a child was born. It is asserted and submitted that the child whom the informant alleges was born out of the wedlock of the petitioner and Mala is a child who was born from the wedlock of the petitioner and Madhuri. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that though informant alleges that Mala married petitioner but then the year of marriage is not disclosed in the FIR and that is for the reason so that the age of the child whom the informant alleges is of the petitioner and Mala cannot be ascertained when the fact is that the child was born from the wedlock in between petitioner and Madhuri. It is further submitted that relationship in between informant and Mala may have deteriorated but then by instituting the instant case by concealing relevant facts, the informant has tried to malign a child.

5. At this stage, learned counsel appearing on behalf of



the informant submits that he has instruction not to oppose the prayer for anticipatory bail of the petitioner.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. After hearing the learned counsel for the parties, let 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.5,000/- (Rupees Five 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 Darbhanga Sadar (Mabbi O.P.) P.S. Case No. 394 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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