

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27390 of 2021**

Arising Out of PS. Case No.-238 Year-2020 Thana- KATORIYA District- Banka

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TIPAN KUMAR YADAV @ TEEPAN KUMAR YADAV Son of Muneshwar
Yadav Resident of Village- Kharbajor, P.S.- Katoriya, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bharat Lal, Advocate.

For the Opposite Party/s : Mr.Shailendra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 01-10-2021 Heard the parties including learned counsel for the
informant in virtual Court.

The petitioner is languishing in custody for the
offence punishable under Sections 341, 323, 504, 506, 379 and
376 of the Indian Penal Code.

The informant who is mother of two children agreed
to marry with the petitioner as her second husband and
thereafter both were in physical relation. The informant was
pregnant from this petitioner but the petitioner refused to marry
with her. Hence the informant suspected that the petitioner had
falsely pretended.

Since the informant was conscious of consequences of
her act, it is a case of physical relationship between two adult
with their consent.



Hence, let the petitioner, above named, who has got no criminal antecedent, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Katoria P.S. Case No. 238 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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