

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58692 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- MAHILA P.S District- West Champaran

JHUNNA KUMAR PASWAN S/o Mukhtar Paswan Resident of Village-
Mangalpur Gudariya, P.S.-Nautan, District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sujeet Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed by the petitioner registered for the offence punishable under Sections 420, 376, 341, 323, 353, 504, 506/34 of the Indian Penal Code.

As per allegation in the FIR, petitioner had established physical relationship with the married informant and later on, petitioner performed marriage with the informant and out of the said wedlock, they blessed with a male child. It is further alleged that after some days, petitioner marriage was fixed elsewhere and he and his mother assaulted the informant and ousted her from their house and petitioner also refused to accept his child.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. It is a case of love affair followed by consensual physical relationship. Statement of the informant was recorded u/s 164 Cr.P.C. from which it appears that her marriage was performed with Sonelal Paswan but still she was in consensual physical relationship with the petitioner. Informant is a major. Petitioner is languishing in judicial custody since 23.5.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bettiah, West Champaran in connection with Bettiah Mahila P.S. Case No. 28 of 2023.

(Sunil Kumar Panwar, J)

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