

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41645 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- MAHILA P.S. District- Madhubani

Chhotu Yadav @ Badri Yadav S/o Dev Narayan Yadav R/o Village- Hanuman
Nagar, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Vinod Kumar, Advocate Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 323, 448, 376, 504, 506, 313 and 34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner who is brother-in-law of the informant developed intimacy with her after the death of her husband. It is alleged that he established physical relationship with her due to which she got pregnant and medicine was administered for termination of pregnancy. It is alleged that on 13.06.2024, the petitioner entered in the house of the informant and forced her for termination of pregnancy and pressed her neck. After that,



medicine was administered. It is further alleged that thereafter, the informant went to some secret place.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the petitioner has submitted that Annexure-2 goes to show that the petitioner has solemnized marriage with the informant. During investigation, the witnesses have also stated that the informant and petitioner used to quarrel with each other on the point of marriage. The marriage has been solemnized. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 11.07.2024.

5. Learned APP appearing for the state has opposed vehemently the prayer of regular bail.

6. 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 released on bail in connection with Mahila P.S. Case No. 21 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I,



Madhubani.

7. Learned trial court is directed to verify whether the petitioner has solemnized marriage with the informant or not and his bail bonds shall be accepted only after the verification of the marriage.

(Ashok Kumar Pandey, J)

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