

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30761 of 2019**

Arising Out of PS. Case No.-4 Year-2019 Thana- MAHILA P.S. District- Patna

Sri Satyendra Kumar Singh @ Satyendra Singh, Son of Late Ram Narayan Singh Resident of Bari Ishupur, Ghanauti, Rajput Colony, P.S.- Industrial, Paswan Chok, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                          |   |                                            |
|--------------------------|---|--------------------------------------------|
| For the Petitioner/s     | : | Mr.Archana Sinha @ Archana Shahi, Advocate |
| For the informant        | : | Mr. Ramesh Kumar Thakur, Advocate          |
| For the Opposite Party/s | : | Mr.Umesh Lal Verma, APP                    |

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

3      11-07-2019                      Heard learned counsel appearing on behalf of the petitioner, learned counsel for the informant and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Mahila P.S. Case no. 04 of 2019, registered under Sections 341, 342, 323, 420, 376, 498A, 504 and 506/34 of the Indian Penal Code, Section 3 / 4 of the Dowry Prohibition Act and Section 27 of the Arms Act.

The accusation is that during the life time of husband of informant Renu @ Sweta, the petitioner used to visit at her matrimonial home due to family relation and she denotes the petitioner as ‘uncle’, but husband of the informant died. Thereafter, petitioner asked the informant to perform



marriage with his son Alok Singh and look after his minor son. Thereafter, the marriage of the informant was performed with Alok Singh, son of the petitioner, in temple and she was kept at Patna. In the meantime, petitioner and his son Alok made demand of rupees 4-5 lakhs and due to non-fulfillment of demand, she was being tortured and on one occasion, the petitioner entered in the room of informant and on the point of pistol committed rape upon the informant. When informant disclosed the said incident to her husband Alok, he did not heed on her complaint. Thereafter, she was being raped by the petitioner. When husband of the informant started to torture her then she disclosed about video with her father-in-law (Petitioner). Thereafter, Alok Singh, son of the petitioner, suggested her to keep mum. After sometime, Alok Singh given her in writing on stamp paper of Rs. 1000/- that she will get every right of wife. Later on, Alok Singh stopped to talk with the informant.

Learned counsel appearing on behalf of the petitioner submits that the informant in her re-statement stated about performing her earlier marriage with Ajay Kumar Tiwari. In course of investigation, the Police contacted with Chandra Shekhar Tiwari, father of Ajay Tiwari, who disclosed that the



marriage of his son was performed with Shashi, who is alive and his son Ajay Tiwary died since before two years and his last rituals was performed by his son Aniket and he has no knowledge about the Renu @ Sweta (informant). In the year 2017, Renu @ Sweta had filed a complaint Case against her in-laws (Chandra Shekhar Tiwari and others), but the same was dismissed. Further submission is that son of the petitioner Alok has already married with Sima Kumari and both have blessed with male issue. Further submission is that petitioner was in association of Ajay Tiwary and after his death only to put pressure to perform marriage with son of petitioner Alok lodged the present case with false allegation.

On the other hand, learned counsel appearing on behalf of O.P. No.2 submits that there is specific allegation against the petitioner to commit rape on the point of pistol upon the informant.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1<sup>st</sup>



Class, Patna in connection with Mahila P.S. Case No. 04 of  
2019, subject to the condition as laid down under Section 438  
(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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