

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78208 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- MAHILA PS District- Gopalganj

PANKAJ KUMAR TIWARI @ PANKAJ TIWARI Son of Om Prakash Tiwari
R/o village- Balathari, P.S.- Kuchaikot, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey
For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 354(A)/354(C)/354(D) of the Indian Penal Code and Section 66(E)/67 of the I.T. Act.

Prosecution case in brief is that the informant of this case Priti Kumari has given a written petition before Mahila Police Station Gopalganj, stating therein that on Pankaj Tiwari S/O Omprakash Tiwari of Village Paharpur Dayal (Tiwari Tola) Balthari, P.S. Kuchaikote District Gopalganj, does (Beyashgiri) work of singing and he was looking at me with bad eye and tried to do vulgar activities with me which was opposed by her and her guardians. Therefore, one Sheobachan Sah a reputed



man of the locality went to Mukhiya of Balthari and started the aforesaid matter, wherein petitioner Pankaj Tiwari was called and an undertaking was given by him not to repeat the aforesaid offence. But thereafter, he continued with such act and also made a video viral on net and again in June 2019 a photo with song was made viral on WhatsApp with Sheobachan Sah. However petitioner Pankaj Tiwari is playing with her life to spoil the same and she has no option, but co commit suicide. Hence, the F.I.R.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and has falsely been implicated in this case due to dirty village politics only with a view to harass, humiliate and blackmail the petitioner. As a matter of fact, no occurrence had taken place in the mode and manner as has been alleged in the F.I.R. but only with intention to harass the petitioner, they have been dragged in the present case. It has further been submitted that the petitioner and informant were playing in singing group. Thereafter, the petitioner separated and created a new group and as such, the informant became annoyed and with a view to take revenge this false case has been lodged after inordinate delay. He submits that both parties will not file case against any one.



In the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Gopalganj in connection with Gopalganj Mahila P.S. Case No. 09 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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