

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3394 of 2022

Arising Out of PS. Case No.-2416 Year-2018 Thana- SARAN COMPLAINT CASE District-
Saran

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Avanish Tiwary @ Avanish Kr. Tiwari S/O- Surendra Tiwari Resident Of
Village- Pipra, P.S.- Govindganj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Pathak W/o Avnish Tiwari, D/o Subhash Chandra Pathak R/o Village-
Sadhnepuri, P.S.- Nagar, District- Saran at Chapra.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 10-08-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 323, 504, 506, 420, 498(A), 379/34 of the

Indian Penal Code and Section 3/4 of the Dowry

Prohibition Act and Section 27 of the Arms Act.

The accusation is of torture for non-fulfillment

of dowry demand.



It is submitted by learned counsel for the petitioner that petitioner is husband of the complainant and he never demanded any dowry. The complainant herself left the matrimonial house and started living in her parental house. The petitioner has filed Matrimonial Case No. 297 of 2019 for restitution of conjugal life. However, the complainant has filed Divorce Case No. 1636 of 2019 before the Principal Judge, Family Court, Varansi. The said divorce case has been allowed ex-parte in favour of the complainant.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Saran, Chapra in connection with Complaint Case No. 2416 of 2018, subject to the conditions as laid down



under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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