

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9286 of 2023

Arising Out of PS. Case No.-253 Year-2022 Thana- LAURIA District- West Champaran

Vikash Tiwari @ Vicky Tiwari @ Vikash Kumar @ Vicky Kumar S/O Munna Tiwari R/O Village- Noneya, Tiwari Tola, P.S.- Paharpur, Distt- East Champaran. Petitioner/s

Versus

1. The State of Bihar
2. Richa Kumari @ Sushmita Kumari W/O Vikash Tiwari @ Vicky Tiwari @ Vikash Kumar @ Vicky Kumar, D/O Rakesh Kumar Dubey R/O Village- Jamuniya, Briti Tola, P.S.- Lauriya, Distt- West Champaran. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Ms. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. A notice has been issued to the opposite party no. 2 and validly served on the opposite party no. 2, but nobody appears on behalf of opposite party no. 2.

3. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 354B, 307, 376, 387, 406, 420, 504, 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner is said to have demanded Rs. 3 lakh from the father of the complainant and due to non-fulfillment of demand, the petitioner assaulted the complainant, her belonging were snatched and she was ousted from her matrimonial home.

5. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is the husband of the complainant and there is no specific overt act against the petitioner he further submits that no occurrence as alleged in the F.I.R. has ever taken place and the entire prosecution story is false and fabricated. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State opposes prayer for anticipatory bail.

7. Considering 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 six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Lauriya P.S. Case No. 253 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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