

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17687 of 2023

Arising Out of PS. Case No.-780 Year-2022 Thana- BUXAR COMPLAINT CASE District-
Buxar

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RAJ TIWARI @ RAJ KUMAR Son of Gajendra Nath @ Gajendra Tiwary
Resident of Village and P.O. - Koransarai, P.S.- Koransarai, District - Buxar,
Pin Code - 802126 (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tanushree Wife of Raj Tiwari @ Raj Kumar Daughter of Brij Bihari Pathak,
At Present Residing at Village - Siktauna, P.S.- Itarhi, District - Buxar
(Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subhen Sarkar, Adv.
For the Opposite Party/s : Mr.Yogendra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-07-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498(A) of the Indian Penal Code.

Petitioner, who is husband of opposite party no2., is said to have tortured upon her physically and mentally and ousted her from her matrimonial home in association of his family members over the dowry demand.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence.



No such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that due to desertion by the complainant, the petitioner compelled to file a Divorce Case being Divorce Case No. 101 of 2022 before the Principal Judge, Family Court, Buxar on 19.04.2022 upon which the notices were issued and after receiving the notice, the complainant in retaliation to that divorce case filed the present complaint case against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the opposite party no.2 opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the present complaint case was filed against the petitioner after filing of the divorce 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 Complaint Case No. 780 (C) of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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