

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30995 of 2023

Arising Out of PS. Case No.-24 Year-2022 Thana- MAHILA P.S. District- Saran

1. Sachidanandan Tiwari @ Sachidanand Tiwari @ Chuman Tiwari Son Of Late Janak Tiwari R/O-Rampurwa P.S.-GOVINDGANJ, Distt.-EAST Champaran
2. Vidyawati Devi Wife Of Sachidanand Tiwari R/O-Rampurwa P.S.-GOVINDGANJ, Distt.-EAST Champaran
3. Asmita Tiwari @ Nitu Wife Of Pankaj Tiwari @ Satyam Kumar R/O-Rampurwa P.S.-GOVINDGANJ, Distt.-EAST Champaran
4. Satyam Kumar @ Pankaj Tiwari Son Of Sachidanand Tiwari R/O-Rampurwa P.S.-GOVINDGANJ, Distt.-EAST Champaran
5. Rajani Devi Wife Of Rajnish Ranjan R/O-Marwarliya, P.S.-MALAHI, Distt.-EAST Champaran
6. Ranjish Ranjan Son Of Late Basantanand Tiwari R/O-Marwarliya, P.S.-MALAHI, Distt.-EAST Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Anant Kumar Mishra, Advocate
For the State	:	Mr.Nand Kumar, APP
For the informant	:	Mr.Jeetendra Narayan, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 376, 511, 341, 323, 504, 506/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture and assault upon the victim due to non-fulfilment of demand of dowry. The husband of the informant and his elder brother made



obscene video of informant when she was taking bath and changing her clothes. When the informant protested the same, then her husband told to establish relationship with the elder brother of the husband of the informant. The elder brother of the husband of the informant attempted to do wrong with the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Petitioner No.1 is father-in-law, petitioner No.2 is mother-in-law, petitioner No.3 is sister-in-law (Jethani), petitioner No.4 is elder brother-in-law (Jeth) of the informant. Petitioner No.5 is married sister-in-law (Nanand) of informant and petitioner No.6 is brother-in-law of husband of informant. So far as the offences under Sections 376/511 of I.P.C. are concerned, same is alleged against co-accused, namely, Pankaj Tiwari. It has further been submitted that in course of investigation, the allegation in respect of offences under Sections 376/511 of I.P.C. has been found to be false. Rest of the offences are triable by the Magistrate. The petitioners have relied upon the judgment of this Court in the case of *Md.*



Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs.

The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below/concerned Court in connection with Mahila P.S. case No.24 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioners are directed to co-operate during the trial. If the petitioners do not co-operate during the trial, the court below will be at liberty to cancel the bail bonds of the petitioners.

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. In case, any such



application is made by either of the parties, the court below shall
refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

Narendra/-

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