

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16363 of 2025

Arising Out of PS. Case No.-736 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Vikash Tiwary @ Golu Kumar @ Golu Tiwary S/O Sikandar Tiwary Resident of village - Kolhua Chowk Paigambarpur, P.S- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Devi W/O Kunal Pandey R/O Vill.- Dighi Purvi, P.S- Sadar, Dist- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Raju Kumar, Advocate
For the Informant	:	Mr. Mukesh Kumar Jha, Advocate
For the State	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-04-2025 Heard Mr. N.K. Agrawal, learned Senior counsel for the petitioner, Mr. Mukesh Kumar Jha, learned counsel for the Informant and Mr. Rana Randhir Singh, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Hajipur Sadar P.S. Case No. 736 of 2023, F.I.R. dated 26.09.2023 registered for the offences punishable under Sections 447, 341, 323, 504, 506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner is the husband of the Informant's daughter. Allegation against the petitioner is of committing



torture and mar-pit due to non-fulfillment of demand of dowry.

4. Learned Senior counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that although there is specific allegation against the petitioner that he assaulted to the victim who happens to be wife of the petitioner and she has received injury but from perusal of the injury report of the victim which suggests that the injury is simple in nature caused by hard and blunt substance.

5. Learned counsel for the Informant as well as learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioner and submits that from perusal of the F.I.R. it appears that there is direct and specific allegation against the petitioner that he assaulted to the victim who happens to be the wife of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent as well as injury inflicted upon the victim is simple in nature, let the petitioner, above named, in the event of his arrest or



surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 736 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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