

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16540 of 2025

Arising Out of PS. Case No.-531 Year-2022 Thana- BIKRAMGANJ District- Rohtas

Anshu Tiwari @ Anshu Kumar Son of Arun Tiwari @ Arun Kumar Tiwari
Resident of Village-Amehata, P.S.- Agiaon Bazar, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 14-05-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bikramganj P.S. Case No. 531 of 2022, registered for the offences punishable under Section 363 of the Indian Penal Code.

3. Based upon the written report, the prosecution alleges that the brother of the informant came to Sasaram by train from Banaras on 04.11.2022. On receipt of a call on his mobile, he said that he is going to meet someone at Bikramganj. After an hour, when the informant called on his brother's mobile, the mobile was found switched off. Hence, suspicion has been raised that he has been kidnapped by some unknown persons.



4. Learned Advocate for the petitioner contended that during the course of investigation, the victim was recovered and his statement was recorded under Section 164 Cr.P.C., wherein, he has not named the petitioner. In fact, the victim had been in relationship with a lady of Village-Amhata and on the fateful day, on receipt of her call, when he went to meet her, he was apprehended by some of the villagers and taken to task; later on, his statement was recorded by the police. Further contention has been made that the occurrence took place on 04.11.2022, but the information has been given to the police after two days and no plausible explanation has been given. There is no eyewitness to the alleged occurrence. Moreover, even during the course of investigation, no material has come which suggest the complicity of the petitioner, except the fact the victim was brought to the house of the petitioner with the help of the villagers. It is the contention of the petitioner that the house, in question, where the victim was brought is in a dilapidated condition and it was given to one Jairam Kharwar to look after. The petitioner has nothing to do with the alleged occurrence.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that recovery



of the victim from the house of the petitioner clearly suggest the involvement of the petitioner. Moreover, with regard to the same occurrence, two FIR has been instituted; another bearing Agiaon Bazar P.S. Case No. 171 of 2023, wherein the petitioner was taken into custody and granted regular bail.

6. Regard being had to the submissions made on behalf of the parties and considering the submissions advanced and also the fact that the victim has neither disclosed the name of the petitioner nor there is any material suggesting the involvement of the petitioner in crime, except his dilapidated house used for the purpose of confinement by the villagers though the reason for confinement has already surfaced during the course of investigation, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Rohtas at Sasaram in connection with Bikramganj P.S. Case No. 531 of 2022, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of



the bailors shall be the own/close family members of the
petitioner.

(Harish Kumar, J)

shivank/-

U		T	
---	--	---	--

