

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23176 of 2025

Arising Out of PS. Case No.-114 Year-2024 Thana- SIKRAUL District- Buxar

Pushpendra Tiwari @ Pushpend Tiwari @ Pushpendra Tiwary @ Pushpend Tiwary, aged about 35 years, Male, S/O Late Ram Niwas Tiwary @ Late Ram Nath Tiwary, R/vill- Renka, P.S.- Sikraul, Distt- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya Kumari D/O Sanjay Sah R/O Village- Renka, P.S- Sikraul, Distt.- Buxar, Pin Code- 802126.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Kuber Pathak, Advocate
For the Opposite Party/s :	Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-04-2025 Heard Mr. Kuber Pathak, learned counsel appearing on behalf of the petitioner and Mr. Nitya Nand Tiwary, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Sikraul P.S. Case No. 114 of 2024 registered for the offence(s) punishable under Sections 126(2), 115(2), 110, 76, 78, 352, 351(2), 3(5) of the BNS and Sections 8 and 12 of POCSO Act.

3. As per the allegation made in the FIR, while the informant was going to shop, one co-accused Jhablu Upadhyay hold her hand and asked for her mobile number and also used filthy language against her. When her father, uncle and grand



mother went to know about the matter, then said Jhablu Upadhyay abused and assaulted them. Specific allegation against the petitioner is that he has assaulted the uncle of the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He further submitted that petitioner is not connected with the co-accused Jhablu Upadhyay. He further submitted that the present case has been filed in retaliation to the Koransarai P.S. Case No.65 of 2024 dated 07.09.2024 filed by the petitioner against the informant's family. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner in the FIR and also the fact that there is case and counter case between the parties and petitioner has clean antecedent, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks



from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO, Buxar in connection with /Sikraul P.S. Case No. 114 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Purnendu Singh, J)

Sanjay/-

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