

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24855 of 2025

Arising Out of PS. Case No.-88 Year-2022 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Shivendra Kumar Tiwari @ Shivendra Tiwari @ Golu Tiwari S/O Nav Nath
Tiwari Resident of Village- Rampur Khuthuriya, P.O and P.S- Bhatni,
District- Deoria, Uttar Pradesh.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Salik Mishra S/O Late Shivnath Mishra R/O Village- Aghaila Mishra, P.O-
Bajudih Mahuan, P.S- Vijaipur, Distt.- Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Nawal Kishore Singh, Advocate
For the State	:	Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. Despite valid service of notice, nobody appears on
behalf of the Opposite Party No. 2.

3. The petitioner apprehends arrest in a complaint
case registered for the offences punishable under Sections 341,
323, 504, 506 and 498A of the Indian Penal Code and Sections 3
and 4 of the Dowry Prohibition Act.

4. The prosecution case, in brief, is that marriage of
complainant was solemnized with this petitioner as per Hindu
rites and rituals on 26.04.2021. It is alleged that after marriage,
all the accused persons named in the complaint petition,



including this petitioner, subjected complainant to torture and harassment due to non-fulfillment of demand of dowry.

5. It is submitted on behalf of petitioner that petitioner happens to be husband of the complainant and present case has been lodged due to petty family dispute. There is general and omnibus allegation. As a matter of fact, the petitioner at no point of time demanded any dowry or committed torture. It is further submitted that petitioner is ready to keep the complainant, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, learned counsel for the petitioner has relied upon a 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**. Petitioner claims clean antecedents.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of petitioner.

7. Considering the facts and circumstances of the case and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Gopalganj in connection with Gopalganj Complaint Case No. 88 of 2022, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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