

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38985 of 2025

Arising Out of PS. Case No.-1 Year-2021 Thana- MAHILA PS District- East Champaran

Sandeep Kumar @ Tiwari @Sandeep Tiwari @ Sandeep Kumar Tiwari S/o
Makun Tiwari @ Mukund Tiwari Resident of Village- Jitwarpur ,P.S-
Govindganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
Mr. Hemant Ray, Advocate
For the Opposite Party/s : Mr.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 498(A), 406, 354 and 34 of the Indian Penal Code and Section 67 of the I.T. Act and subsequently, Section 376 (ch) (dh) of the Indian Penal Code was added.

3. The case of the prosecution, in brief, is that marriage of the informant was solemnized with Manoj Mishra on 24.05.2001. Out of the said wedlock, she is having two sons and a daughter were born. It is further alleged that Rs. 5,00,000/- was demanded, as dowry to which the informant objected. It is also alleged that on the order of father-in-law, the



petitioner along with others had assaulted her. It is further alleged that on the same day i.e. 20.10.2020, an attempt was made to set her on fire. Thereafter, she went for treatment at PHS, Sangrampur. Hence, the present FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the date of occurrence is 20.10.2020 whereas the FIR has been registered on 02.01.2021 after a delay of about 72 days, for which no explanation has been furnished on behalf of the informant. It is further submitted that during the course of investigation, statement of the informant was recorded under Sections 161 and 164 of the Cr.P.C. In her statement under section 161 of the Cr.P.C., she alleged that the petitioner has developed physical relations with her, made a video viral and was blackmailing her. The statement under section 161 of the Cr.P.C. was recorded on 27.04.2024 which appears to be a subsequent development on the part of the informant. However, in her statement recorded under Section 164 of the Cr.P.C., she categorically stated that nothing had happened with her. Moreover, the petitioner is languishing in judicial custody since 24.03.2025 having no criminal antecedent.



5. Learned APP appearing for the State has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mahila P.S. Case No. 01 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Rape and POCSO Cases) District and Additional Sessions Judge, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

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