

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41610 of 2025

Arising Out of PS. Case No.-230 Year-2024 Thana- LAKHAURA District- East Champaran

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1. SWAYANVAR TIWARI S/o LATE BASUDEO TIWARI R/o vill - Nimuiya Chiraia, ward no. 10, P.S.- Ghorasahan, Distt.- East Champaran
 2. Anita Devi W/o Swayanvar Tiwari R/o vill - Nimuiya Chiraia, ward no. 10, P.S.- Ghorasahan, Distt.- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Maheshwar Mishra S/o Late Ramdeni Mishra R/o vill - Inarwa, Phulwar, P.s.- Lakhaura, Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate.
For the Opposite Party/s : Mr.Bishweshwar Ram, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 15-10-2025 Heard learned counsel appearing on behalf of the
petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Lakhaura P.S. Case No. 230 of 2024 registered for the offence punishable under Sections 137(2) and 96 of the BNS and Section 8 of the POCSO Act.

3. As per the allegation made in the F.I.R., the petitioners along with co-accused Golu Tiwari allegedly kidnapped the minor grand daughter of the informant and committed rape with her.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners have falsely been implicated in the present case because co-accused Golu Tiwari



is their son against whom there is allegation of committing repeated rape with the grand daughter of the informant.

5. Learned APP for the State vehemently opposed the prayer for grant of bail to the petitioners.

6. I have perused the allegation made in the F.I.R., as well as, the impugned order, wherein it has been recorded that in the statement recorded under Section 183 BNSS, the victim has narrated the entire story and the manner in which she was kidnapped and raped. Learned counsel appearing on behalf of the petitioners have pleaded that the petitioners have been roped in the present case because they are father and mother of the main accused Golu Tiwari who had allegedly sexually assaulted the victim.

7. In such circumstances, I find that the petitioners may surrender before the learned District Court and seek regular bail. The learned District Court is directed to consider the bail application of the petitioners on the same day in accordance with law.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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