

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8368 of 2026

Arising Out of PS. Case No.-704 Year-2025 Thana- DIGHA District- Patna

Vivek Tiwari, Son of Sanjay Tiwari, Ro Vill. - Bhatgain, P.S - Taraiya, Dist. - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Digha P.S. Case No. 704 of 2025 registered for the offences under Sections 115(2), 126(2), 351(2), 352, 140(3) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant has alleged that he has been working as a constable and was also running Aaradhana Online Exam Center and some money was due to the petitioner on account of the same, a dispute arose. It is alleged that the petitioner, along with his brother, had abused and assaulted the informant. It is further alleged that two persons forcibly made him sit on a car and made him sign on one thousand rupees stamp paper and thereafter the petitioner



and other persons fled however, the police arrested Manish Kumar and Aditya Kumar.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no such incident as alleged has occurred. It has further been stated that the informant has suppressed the fact that he had received a certain amount from the petitioner in his wife's account to run the Aaradhana Online Exam Center and he was not returning the same and had also entered into an agreement with the petitioner and has accepted the fact that he has received Rs.25,00,000/- from him. It has next been submitted that only in order to save himself from paying the due amount the present false and concocted case has been lodged. It has also been submitted that the cheques and the deposit slips have been brought on record, which would go to show that the money was transferred into the account of the wife of the informant. It has lastly been submitted that the informant, using his clout among the police, has lodged this present case. It has lastly been submitted that the petitioner has two criminal antecedents.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case



and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Digha P.S. Case No. 704 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal



antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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