

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70407 of 2025

Arising Out of PS. Case No.-28 Year-2024 Thana- DURAULI District- Siwan

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Brij Mohan Tiwari @ Chhotu Tiwary Son of Awadh Kishor Tiwari Resident
of Village - Tiyar, P.S.- Asaon, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Dubey

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 06-01-2026 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Darauli P.S. Case No. 28 of 2024, registered for the offences
punishable under Sections 417 and 376 of the Indian Penal Code.

3. The prosecution case is that the informant came in
contact with the petitioner *Brij Mohan Tiwari @ Chhotu Tiwari*
due to family relations and remained in contact for about three
months. It is alleged that during this period, the petitioner called
her to *Siwan*, forcibly established physical relations, prepared a
video and later threatened her. Subsequently, a *panchayati* was
held in which the petitioner allegedly assured not to repeat such
act.

4. The learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the statement of the victim, recorded under Section 183 of the BNSS, itself shows that the relationship between the petitioner and the victim was consensual. The victim is admittedly a major. He has also submitted that the *Mukhiya* and *Sarpanch*, before whom the *Panchayati* was conducted, were not examined.

5. The victim, in her statement recorded under Section 164 of the CrPC, has stated that her matrimonial relationship has been ruined because the petitioner made a video viral and sent it to her husband's mobile number. As a consequence, her husband has left her.

6. In my view, the petitioner does not deserve the privileges of bail, which is hereby *rejected*.

(Nawneet Kumar Pandey, J)

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