

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88897 of 2025

Arising Out of PS. Case No.-517 Year-2023 Thana- BANIAPUR District- Saran

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Dipu Tiwari @ Onkar Nath Tiwari @ Tipu Tiwari @ Dipul Tiwari Son of
Harendra Tiwari @ Harindra Tiwari Resident of Village- Dhanupur, P.S.-
Baniyapur, District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satyendra Kumar Ojha Son of Late Mahesh Ojha Resident of Village and
P.O.- Dhangarha, p.S.- Baniyapur, District- Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 10-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Baniyapur P.S. Case No. 517 of 2023 registered for the
offence punishable under Section 366A of the Indian Penal
Code.

3. The case of the prosecution, in short, is that the
minor girl of the informant was missing.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case. During the course of the investigation, the victim was



recovered and she has given her statement recorded under Sections 161 and 164 of the Cr.P.C. In her statement recorded under Section 164 of the Cr.P.C., she has stated that this petitioner has clicked her photographs and was blackmailing her. He took her to Danapur by train and he further handed her over to a lady. The victim heard that the petitioner was giving cash to the lady. A further allegation is that on the station, one Deepak met her, and he performed a forceful sexual act with her. He also submits that the only allegation against the petitioner is that he has taken the victim from her house, but the main thrust of the allegation is against one Deepak. He also submits that from the medical examination report, it is clear that the victim is pregnant, but the allegation regarding the sexual act is against another accused person. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 21.01.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Additional Sessions Judge (POCSO), Saran at Chapra in connection with Baniyapur P.S. Case No. 517 of 2023.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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