

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2862 of 2026

Arising Out of PS. Case No.-416 Year-2025 Thana- CHAINPUR District- Kaimur (Bhabua)

Dharmendra Tiwari S/o- Late Huban Tiwari Village- Jagariya, P.s-Chainpur,
District- Kaimur, Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX D/o- Sanbtosh Tiwari R/v- Jagariya Ps- Chainpur Dist- Kaimur,
Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and learned counsel
for the opposite party no. 2.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 64(1), 62,
115(2) of B.N.S. and Section 8/12 of the POCSO Act.

3. The allegation against the petitioner is that of
committing sexual assault and attempting to disrobe the
daughter of the informant.

4. Learned counsel for the petitioner submits, at the
outset, that the victim's father and the petitioner are own
brothers and there is prior dispute with regard to land. It has also
been submitted that informant and her family had assaulted the



wife of the petitioner earlier for which an FIR bearing Chainpur P.S. Case No. 405 of 2025 was lodged. Be that as it may, it has been submitted that a compromise has been arrived at between the parties and the compromise petition has been filed in the court below on 03.11.2025 which is Annexure-P/3.

Learned counsel for the opposite party no. 2 does not dispute the factum of compromise between the parties.

6. Taking into consideration the facts and circumstances and also considering the fact that it is a dispute between two brothers and a compromise has also been filed, let the above named petitioner, who has no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees 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 Chainpur P.S. Case No. 416 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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