

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6092 of 2026

Arising Out of PS. Case No.-831 Year-2025 Thana- BHABHUA District- Kaimur (Bhabua)

Shivanand Tiwari @ Shivanshu Kumar @ Anshu Tiwari S/o Nagina Tiwari @
Ram Nagina Tiwari Resident of Village- Parsiya, P.S.- Bhabhua, District-
Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o Y R/o vill - Parsiya, P.S.- Bhabhua, Distt.- Kaimur

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Manan Kumar Mishra, Sr. Advocate Mr. Vishwajeet Kumar Mishra, Advocate
For the State	:	Mr. Arun Kumar Singh, APP
For the Informant	:	Mr. Basant Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-03-2026 Heard learned senior counsel appearing on behalf of
the petitioner, learned APP appearing on behalf of the State and
learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 103(1),
61(2), 108 and 64 of the B.N.S. and Sections 4 and 6 of the
POCSO Act.

3. As per prosecution case, it is alleged that there was
love affair between this petitioner and minor sister of the
informant and this petitioner used to tease her and make
physical relations with her on the pretext of marriage and



thereafter, he refused to marry her and as a result of the mental and physical torture committed by this petitioner, minor sister of informant committed suicide.

4. It is submitted by learned senior counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. At best, it is a case of suicide and petitioner cannot be held responsible for the same. As a matter of fact, the deceased was a major and though there is allegation of physical torture against this petitioner, however, as per *post mortem* report, no external injury was found on the person of the deceased. During investigation, no eye witness has claimed to have seen this petitioner near the place of occurrence or committing any torture with the deceased. Petitioner is a student and has got no criminal antecedents. Petitioner undertakes to cooperate with the investigation and appear before the investigating officer as and when required.

5. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. and there is specific accusation against this petitioner that because of the mental and physical torture committed by this petitioner, the



victim committed suicide. The suicide was prompted by emotional distress over sexual abuse, torture and denial of this petitioner for marriage. During investigating, one suicide note was also recovered from the body of the deceased which also goes to show that out of frustration and mental torture committed by this petitioner, she was compelled to commit suicide.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation and materials that have surfaced during investigation, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

