

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.31619 of 2022**

Arising Out of PS. Case No.-965 Year-2021 Thana- ARA NAWADA District- Bhojpur

BITTU TIWARY @ SANEH SOURAV SON OF MANOJ TIWARY @  
MANOJ KUMAR TIWARI R/O VILLAGE- KATARI, P.S.- VIKRAM,  
DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Brajesh Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA  
ORAL ORDER**

2      22-11-2022                      Heard learned senior counsel for the petitioner and  
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 509, 354D, 354, 504, 506 and 34 of the Indian Penal Code & Section 67A of the Information Technology Act.

Learned senior counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that about three years back, petitioner along with Phalendra came to his house in his absence, further Phalendra made his daughter eat sweet on account of which she became unconscious and thereafter he put vermilion on her forehead and clicked a selfie and even touched her



inappropriately, it is further alleged that Phalendra made his daughter believe that she is his wife and started calling her regularly. It is next alleged that whenever his daughter asked him to delete the picture, he used to refuse on the pretext that the picture is evidence of their marriage, it is further alleged that Phalendra even got her marriage broken by showing the picture to the parents of the groom with whom her marriage was fixed, it is next alleged that thereafter through a fake Facebook account, he made the picture of the victim viral, further, once he had even called her in a hotel by informing her through a hotel staff that he has committed suicide. It is next alleged that on 30.09.2021, a fake Facebook account of his son was created and the picture was made viral through the said fake Facebook account again.

Learned senior counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that from bare perusal of the allegation as alleged in the F.I.R, it would manifest that the informant has alleged that about three years back this petitioner had accompanied Phalendra to his house, it is next submitted that even presuming what has been alleged is true without admitting for the purposes of anticipatory bail then there is no specific



allegation against this petitioner of committing any act, moreso, an inappropriate act, it is next submitted that the allegation as alleged also does not inspire confidence against the petitioner.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Ara Nawada P.S. Case No. 965 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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