

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19651 of 2025

Arising Out of PS. Case No.-236 Year-2024 Thana- JOGAPATTI District- West Champaran

Mithun Alam @ Md. Mithun Alam s/o Jamruddin Sheikh R/O Machhargawa,
Ward No. 7, P.S.- Yogapatti, District- West Champaran Petitioner/s
Versus

1. The State of Bihar
2. Shabnam Khatoon W/O Mithun Alam @Md. Mithun Alam, D/O Sheikh Aslam R/O -Village - Machhargawa, Ward No. 7, P.S. - Yogapatti, District- West Champaran. At Present- R/O Village Salempur, P.O. Saidpur, P.S. -Ramnagar, District - West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 10-07-2025 Heard Mr. Bimlesh Kumar Pandey, learned counsel
for the petitioner and Mr. Shailendra Kumar Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Yogapatti P.S. Case No. 236 of 2024, F.I.R. dated 19.07.2024 for the offences punishable under Sections 126(2), 115(2), 85, 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that the marriage of the informant was solemnized with the petitioner 9 years back. Before one month petitioner eloped with another women. On 10.07.2024, the petitioner returned back and started living in the house. Thereafter, on 15.07.2024 the petitioner demanded Rs. 1.25,000/- from the informant and



threatened her to ousted from the house. When the informant expressed the inability of her parents of giving money, the petitioner along with other accused persons assaulted her.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case.

5. Pursuant to the direction of this Court dated 16.06.2025, both the parties have sat together and came to an amicable settlement and they have signed an agreement dated 03.07.2025.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Bettiah, East Champaran in connection with Yogapatti P.S. Case No. 236 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and



with other following conditions:-

i. Both the parties are directed to honor the agreement dated 03.07.2025.

ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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