

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26677 of 2024

Arising Out of PS. Case No.-2 Year-2021 Thana- MAHILA P.S. District- Saharsa

Raji Ahmad @ Raju @ Md. Raji Ahmad Son of Md. Hashim Resident of
Roop Nagra Ward No. 40/44, Police Station- Saharsa, District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Zaheeda Praveen Wife of Raji Ahmad @ Raju @ Md. Raji Ahmad, D/o of
Abdul Zabbar Resident of Tariyama, Police Station- Bakhtiyarpur, District-
Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satish Kumar Singh, Advocate
For the State	:	Mr. Ram Sumiran Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 17-02-2025 Heard Mr. Satish Kumar Singh, learned counsel for

the petitioner and learned APP for the State as also the learned

counsel representing the informant.

2. The petitioner is in judicial custody in connection
with Saharsa Mahila P.S. Case No. 02 of 2021 registered for the
offence under Sections 341, 498(A), 494, 323, 504, 506/34 of
the Indian Penal Code and section 3 and 4 of the Dowry
Prohibition Act, lodged on 06.01.2021 by the informant
Zaheeda Praveen.

3. As per the prosecution story, the informant alleged
that she was married to the petitioner and also blessed with three
children but was always tortured for dowry. Further, allegation



is that he performed second marriage with one Ruksana Khatoon and allegation is that on 15.12.2020, the family members including the petitioner with an intention to kill her as also the children locked inside a room and as they smell the kerosene oil, an alarm was raised by them. Only after the neighbours gathered, they could be rescued which followed the F.I.R.

4. Earlier, the coordinate Bench gave a rope to the petitioner to come to terms by sending the matter to the Mediation Centre but the report dated 17.10.2024 shows that it failed.

5. Further, to appear in the Mediation Centre, the coordinate Bench also granted provisional bail till 30.11.2024 whereafter the petitioner was to surrender.

6. On 06.12.2024, this Court wanted the petitioner to file supplementary affidavit providing surrender certificate as his provisional bail lapsed on 30.11.2024.

7. On 17.01.2025, neither the surrender certificate by way of supplementary affidavit was on record nor the concerned lawyer chose to appear, nor there was any prayer for adjournment and in that background, the Superintendent of Police, Saharsa was directed to ensure that the petitioner is



taken into custody as he has jumped the bail.

8. A report has now come from the office of Superintendent of Police, Saharsa according to which on 05.02.2025, he has been arrested.

9. Learned counsel for the petitioner submits that he belongs to the religion where the second marriage is no offence. Further, entire other accusation is/are ornamental in nature and as such, he being in custody since 27.09.2023 but for a brief period between 24.07.2024 till his date of re-arrest (05.02.2025) when he was on provisional bail.

10. Learned counsel for the informant on the other hand submits that not only he consummated the second marriage, despite the lady being blessed with three children, repeatedly tortured mentally and physically and in that extension, wanted to kill them by locking them in the room and it was only due to timely intervention of the neighbours that they could be rescued which followed the F.I.R.. The petitioner has no intention to keep the lady with children as he has already perform second marriage.

11. Considering the submissions put forward by the parties, and perusing the record as also the way the petitioner has handled the case even after the F.I.R. has been lodged,



chose to jump bail despite he being granted provisional bail by the coordinate Bench till 30.11.2024 and it was only after the direction of the Court that he came into judicial custody coupled with the allegation that has come that he tried to kill the lady and only due to intervention of the neighbours, she could be rescued, in that background, for the present, this Court is not inclined to extend him the privilege of bail.

12. Accordingly, the bail application stands rejected.

(Rajiv Roy, J)

vinayak/-

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

