

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34558 of 2025

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

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Raji Ahmad @ Raju @ Md. Raji Ahmad @ Md. Razi Ahmad S/o- Md.
Hashim R/o- Roop Nagra Ward No-40/44, Ps- Saharsa Dist- Saharsa
... .. Petitioner/s

Versus

1. The State of Bihar
2. Zaheeda Praveen W/o- Raji Ahmad @ Raju @ Md. Raji Ahmad, D/o- Abdul
Zabbar R/o- Tariyama Ps- Bakhtiyarpur Dist- Saharsa
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 29-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Saharsa Mahila P.S. Case No. 02 of 2021 for the offence punishable under sections 341, 498(A), 494, 323, 504, 506/34 of the IPC lodged on 06.01.2021 by the informant, Zaheeda Praveen.

3. As per the prosecution story, the lady alleged that she was married to the petitioner but later he went for his second marriage and on 15.12.2020, the petitioner along with other co-accused persons tried to kill her by pouring kerosene oil. Only after the alarm was raised and the neighbours gather, she could be rescued.

4. Learned counsel for the petitioner submits that due to misunderstanding, he has already suffered and remained in



custody from (i)27.09.2023 to 30.11.2024 (ii) after he failed to surrender, was arrested on 04.02.2025 and since then he is in custody. He further submits that there has been delay in coming to the Court and also misuse of provisional bail. This time, he shall ensure that all the conditions that is/are incorporated while granting relief, is followed.

5. Learned APP opposes the prayer for bail and submits that not only he went for second marriage, he also tried to kill the lady and once granted provisional bail for mediation, he jumped and only after the police arrested him, he is in custody.

6. Though, allegation is there, the petitioner is in custody since 04.02.2025, having no criminal antecedent, shall be facing the trial, an undertaking has been given that he shall be diligently appearing in the trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Saharsa in connection with Saharsa Mahila P.S. Case No. 02 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and at the end, the certificate be submitted before the Trial Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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