

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1118 of 2025**

Arising Out of PS. Case No.-13 Year-2024 Thana- MAHILA P.S. District- Munger

Md. Amin @ Md. Raja Son of Md. Shamim @ Mohammad Shamim Resident  
of Hazi Subhan (Khajanchi Bagicha), P.S.- Kotwali, Distt.- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sama Pravin, W/o- Md. Amin @ Md. Raja R/o- Hazi Subhan( Khajanchi bagicha) P.S.- Kotwali, District- Munger

... .. Opposite Party/s

**Appearance :**

|                          |   |                                   |
|--------------------------|---|-----------------------------------|
| For the Petitioner/s     | : | Mr. Nawal Kishore Singh, Advocate |
| For the Opposite Party/s | : | Mrs. Gulnar Begum, APP            |
| For the O.P. No. 2       | : | Mr. Kumar Devam, Advocate         |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      19-04-2025                      Heard Mr. Nawal Kishore Singh, learned counsel  
for the petitioner, Mr. Kumar Devam, learned counsel appearing  
on behalf of the Opposite Party No. 2 as well as Mrs. Gulnar  
Begum, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in  
connection with Mahila (Munger) P.S. Case No. 13 of 2024,  
F.I.R. dated 10.04.2024 for the offences punishable under  
Sections 498(A), 341, 323/34 of the Indian Penal Code and  
Section 3/4 of the Prevention of Witch (Dayan) Act.

3. According to prosecution case, all the accused  
persons including this petitioner tortured the informant/  
Opposite Party No. 2 physically and mentally by calling her



Dayan and they also started demanding dowry and ousted her from her matrimonial house along with her three children.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. In fact, the Opposite Party No. 2 is living in the house of the petitioner and she has kicked him out from his house and the said house has been purchased by the petitioner in the year 2016.

5. The learned counsel for the Opposite Party No. 2 as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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 Sub Divisional Judicial Magistrate, Munger in connection with Mahila (Munger) P.S. Case No. 13 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. 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.

ii. 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.

iii. 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 bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Vanisha/-

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