

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26300 of 2014

Arising Out of PS.Case No. -94 Year- 2013 Thana -MAIRWA District- SIWAN

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Satyendra Mishra, S/O- Sheoji Mishra, Resident of Village- Kabita, P.S.- Mairwa,
District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri Panchhari Mishra, S/O not known, Village- Muiya, P.S. Zeeradi.
3. Mira Devi, D/O Sri Panchhari Mishra, W/O Satyendra Mishra, Village- Muliya, P.S. Zeeradi, District- Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 09-12-2015

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Without going into the merits of the matter, learned
counsel for the petitioner submits that being the husband, he is ready
to take back the opposite party no. 2 and the minor son and keep them
with full dignity, honour and security in the matrimonial home with

him.

Learned counsel for the opposite party no. 2 submits that her past experience has not been very good and thus she is still apprehensive of being maltreated. However, he says that she is ready to take a chance to restore the relationship.

Considering the aforesaid facts, the Court is inclined to give the parties a chance to reconcile especially since there is a minor child born out of the wedlock who is totally innocent and unconnected with the dispute between his parents.

Accordingly, as agreed, the parties shall appear before the court below on 18th December, 2015. The petitioner shall give an undertaking before the Court that he shall keep the opposite party no. 2 and his minor son in the matrimonial home with him with full dignity, honour and security. She shall also be entitled to have access to her relatives and talk to them on telephone without any objection either from the petitioner or his family members.

The Court shall then fix dates every month when both the parties shall appear before the Court which shall record their statement with regard to their relationship. After six months, if the Court finds that the relationship has been restored, the bail shall be confirmed. The opposite party no. 2 shall be at liberty to file a petition before the court below in case there is any violation of the

undertaking or if she faces any threat or harassment either from the petitioner or his family members. The said liberty shall continue even after the bail to the petitioner is confirmed.

The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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