

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8320 of 2015

Arising Out of PS.Case No. -1668 Year- 2013 Thana -NALANDA COMPLAINT CASE
District- NALANDA (BIHARSHARIFF)

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Prushotam Pandey @ Chotu Pandey @ Purushotam Pandey @ Chotu Pandey, Son of Madhusudan Pandey, resident of Village- Dekpura, P.S.- Rahui, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar
2. Babli Kumari, D/o Purushotam Pandey, resident of village- Majidpur, P.S- Manpur, District- Nalanda, at present resident of Mohalla- Bangalipara, P.S- Rajgir, District- Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. R.B.S.Pahepuri(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 12-08-2015 By order dated 13.5.2015, this Court after interacting with the petitioner-Prushotam Pandey as well as his wife-Babli Kumari had directed and given an opportunity to the parties to come together.

Today, the parties are again present in Court. The petitioner submits that he had taken his wife-Babli Kumari and they have been living together. However, later she had filed a petition in the court below stating that she has no grievance against the petitioner, but is unable to continue at her matrimonial home with other family members with whom she could not co-relate and has been having certain problems. She has expressed her desire to go back to her maternal home and live there till the time her husband is able to establish himself and start making a

livelihood. On a query as to whether she has filed such petition in the court below, she admits having done so. She has also stated that she is in the family way and is expecting another baby shortly.

Under the circumstances, it is desirable that O.P. No.2 be permitted to go back to her maternal home till the time she so desires and/or till the time her husband is able to make adequate arrangement for her after he starts earning so as to meet her needs.

In view of such facts and circumstances, the interim order passed earlier on 3.3.2015 shall stand confirmed and the petitioner, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Nalanda, in connection with Complaint Case No.1668C of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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