

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19969 of 2015

Arising Out of PS.Case No. -482 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Jai Prakash Paswan son of Satya Narayan Paswan, resident of village-
Bharatmahi, Outpost, Haraiya, P.S.- Raxaul, District East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Shanti Devi wife of Jai Prakash Paswan, Daughter of Jagan Paswan,
resident of village- Aarara, P.S.- Aadapur, District- East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lalan Kumar Verma
For the Opposite Party/s : Mr. Ram Naresh Roy (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 02-09-2015 Heard learned counsel for the petitioner and learned
counsel Opposite Party No. 2.

The petitioner apprehends his arrest in Complaint
Case No. C-482/2012 registered for the offences punishable
under Sections 498(A), 494 and 323/34 of the Indian Penal
Code.

Both the parties namely, Jay Prakash Paswan
(petitioner) and Shanti Devi W/o- Jai Prakash Paswan (Opposite
Party No. 2) are present in Chambers today.

After interacting with both of them, it is evident that
the opposite party no. 2 is not willing to go and live with the
petitioner on account of the fact that the petitioner solemnized

second marriage and is having a son from his second wife. Though, initially the same was denied by the petitioner but during the course of interaction, it emanated that in fact, the petitioner has entered into an illegal marriage but, is yet willing and ready to keep her with him.

However, in view of the peculiar facts and circumstances of the case and the unwillingness of the opposite party no. 2 to reconcile herself to go and live with the petitioner, this court feels that, as an interim measure, the petitioner should make adequate arrangements for her well-being and as agreed upon by him, petitioner is directed to pay a sum of Rs. 2,500/- per month, so that she may at least, be able to survive till the issues before the family court be resolved.

Let the petitioner deposit the amount, as agreed upon before this Court, in the joint account of opposite party's parents namely, Jagan Paswan and Jokha Devi on or before the 15th day of each month beginning from today. In the event of deposit of aforementioned amount by the petitioner by 15th of September, 2015, let the petitioner, in the event of his arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, is/are directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten

Thousand) with two sureties of the like amount each to the satisfaction of the D. Kumar, Judicial Magistrate, 1st Class, Raxual at Motihari in connection with C-482/2012.

In case, the aforementioned order is not complied with and petitioner fails to deposit the amount as agreed upon by him, it shall be open for the opposite party no. 2 to move this court for modification of the present order.

(Anjana Mishra, J)

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