

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14793 of 2014

Arising Out of PS.Case No. -269 Year- 2013 Thana -GHANSHYAMPUR District- DARBHANGA

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Md. Khalil Nadaf @ Md. Khalil Son Of Niyamat Nadaf R/O Village-South Kasraur, P.S. Ghanshyampur, District-Darbhanga

.... Petitioner

Versus

1. The State Of Bihar
2. Jahana Khatoon Wife Of Md Khalil Nadaf @ Md Khalil R/O Village-South Kasraur, P.S. Ghanshyampur, District-Darbhanga

.... Opposite Parties

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Appearance :

For the Petitioner : M/s Gajendra Kumar Jha, Bam Bahadur Jha
Sushil Kumar Jha, Advocates
For the State : Mr. Sanjay Kumar Sharma, APP
For the O.P. No. 2: Mr. Pankaj Kumar Jha, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

12 17-12-2015 Heard the parties.

Stand taken by the petitioner as well as opposite party no. 2 that they want to live together and lead their conjugal life. The petitioner has undertaken that he will extend full dignity and honour to the opposite party no. 2.

Learned counsel appearing on behalf of the opposite party no. 2 has stated that she also wants to live with the petitioner as she is already having four children from the wedlock.

The petitioner also undertakes that he will visit the paternal house of the opposite party no. 2 tomorrow itself. In such case, as per the undertaking given by the opposite party no. 2 she

would be required to go with the petitioner to his place of residence.

Accordingly, this application stands disposed of and the provisional bail granted earlier to the petitioner is made absolute.

However, the husband and the wife, i.e., the petitioner and opposite party no. 2, would be required to file a joint affidavit within fifteen days before the court below stating that they are living together happily. In case such affidavit is not filed within the aforesaid time then the court concerned would be at liberty to take steps for cancellation of bail bond of the petitioner.

Opposite party no. 2 would also be at liberty to move for cancellation of bail before the court below in case she is not treated well as per the undertaking given by the petitioner.

(Dr. Ravi Ranjan, J)

SC/-

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