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Appea

Ranjay Paswan, Son of Chhote Paswan, Resident of Village- Bajitpur, P.S. Sahpur, District- Nawada.

Versus

- Opposite Party/s

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

ORAL ORDER

The petitioner apprehends arrest in Complaint Case No. 1333C of 2013 instituted under Sections 498A/34/323 of the Indian Penal Code.

Learned A.P.P. and learned counsel for the informant submit that the Court may safeguard the interest of the petitioner.



In view of the aforesaid, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on provisional bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in Complaint Case No. 1333C of 2013, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

The petitioner within 10 days from today shall give an undertaking before the Court below that he shall keep the opposite party no. 2 with full dignity, honour and security and also provide for all her needs. He shall also give an undertaking that the opposite party no. 2 shall be allowed to meet and talk to her relatives without any objection or hindrance and they shall also be allowed to go and visit her. Thereafter the petitioner shall go to the home of the father of opposite party no. 2 and take her to the matrimonial home within the next one week. The Court below shall fix dates in the case every month when both the parties shall appear and the Court shall record a finding with regard to the status of the relationship. If after nine months, the Court comes to the finding that the relationship has been restored, the provisional bail granted to the petitioner shall be confirmed. In the event, the Court finds that due to any act or conduct of the

petitioner, the opposite party no. 2 is unable to come and live with him, the bail granted to the petitioner shall be deemed to have been refused and upon cancellation of his bail bonds, he shall be taken into custody.

The opposite party no. 2 shall have liberty to file a petition before the Court if there is any violation of the terms and conditions of the undertaking or if she otherwise feels threatened. If such a petition is filed, the Court below, after hearing the parties shall pass appropriate orders including cancellation of the bail bonds of the petitioner. The liberty given shall also continue after the bail of the petitioner is confirmed.

Learned counsel for the opposite party no. 2 has assured that she is ready to go and live with the petitioner. If she refuses, the petitioner shall be at liberty to file an application before the Court below bringing to the notice such fact which shall be considered by the Court after calling both the parties and hearing them.

The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

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