

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14372 of 2014

Arising Out of PS.Case No. -389 Year- 2011 Thana -PATNA COMPLAINT CASE District-
PATNA

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Anuj Kumar Sao Son Of Baijnath Sah Resident Of 5d, Mathur Babu Lane,
Kolkata, P.O And P.S Teghara, Kolkata- 15

.... Petitioner/s

Versus

1. The State Of Bihar
2. Smt. Jyoti Sao W/O Anuj Kumar Sao Resident Of Presently R/O C/O
Mithilesh Kumar Neelam Picture Place, Masand Bigha, P.S And P.O Barh,
Distt- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neerad Parashar

For the Opposite Party/s : Mr. Umeshanand Pandit (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

9 12-10-2015 After hearing the parties at length once again,

this Court feels that there is virtually no scope of reconciliation.

The opposite party no. 2 insists that she will go to her
matrimonial home as she has been married and till the said
marriage is valid, the petitioner is bound to keep her with him
and to maintain her providing her all needs.

The petitioner and his mother are also present
in court and they are adamant to not keep her and even they
are willing to face the consequences whatever may be. They
however, submitted that so far as the child, borne out of the
marriage is concerned, he is living in hostel, run by the Ram

Krishna Mission Ashram and, he has no objection to the visit of opposite party no. 2 at periodic intervals. The said liberty is granted to the opposite party no. 2. She may approach the superintendent/principal of the school with a copy of this order so as to enable herself to meet her son, for whom, she is in distress as she has not met him since long.

It is made clear that the school authorities shall facilitate the liberty as granted to the opposite party no. 2. It is also made clear that if the petitioner creates any hindrance to meet the opposite party no. 2. to the child, the same would amount further mental torture to her and the interim order , extended in his favour, shall stand revoked. The interim order dated 23.09.2015 passed in the present case which was inadvertently typed in Cr. Misc. No. 2340 of 2015 in favour of the petitioner subsequently modified vide order dated 07.10.2015 shall now well exist but with interim sustenance as stated in the order itself. The petitioner is directed to surrender in the court of Sub Divisional Judicial Magistrate/concerned Court, Barh in connection with Complaint Case No. 389 (c) of 2011 within a period of three weeks from today.

This court further does not encourage the opposite party no. 2 from going to live in her matrimonial home as there are repeated insistence of domestic violence with allegations and counter allegations, which may lead further

complication.

With the aforesaid observations and directions,
this application stands disposed of.

(Anjana Mishra, J)

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