

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 32113 of 2014

Arising Out of PS.Case No. -72 Year- 2014 Thana -BANIAPUR District- SARAN

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Jawahir Manjhi son of Late Nagendra Manjhi Resident of village - Dhobawal,
Police Station - Baniyapur, District - Saran (Chapra)

.... Petitioner/s

Versus

1. The State of Bihar
2. Sarda Devi wife of Jawahir Manjhi, resident of village-Dhobawal, P.S.-
Baniyapur, District-Siwan (Chapra)
At present village-Bareja, P.S.-Kopa, District-Saran (Chapra).

.... Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 16-12-2015

Heard learned counsel for the parties.

Earlier, by order dated 14.10.2014, the
petitioner had been granted provisional bail and notice was
issued to the opposite party no. 2 i.e., the wife.

Learned counsel for the petitioner reiterates the
earlier stand that without going into the merits, he is ready to
keep the opposite party no. 2 in the matrimonial home with full
dignity, honour and security.

Learned A.P.P. and learned counsel for the
opposite party no. 2 submit that the Court may safeguard her

interest.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the application stands disposed off with a direction to the petitioner and the opposite party no. 2 to appear before the Court below on 5th January, 2016 when the petitioner shall give an undertaking before the Court that he shall keep the opposite party no. 2 as his wife in the matrimonial home along with him with full dignity, honour and security and that she shall be free to meet and talk to her relatives without any let or hindrance either from the petitioner or his relatives. The petitioner shall also undertake to take care of all her requirements relating to food, clothing, medical treatment etc. He shall then take the opposite party no. 2 with him to the matrimonial home. Liberty is given to opposite party no. 2 that in case of any violation of the terms and conditions of the undertaking, she may file a petition before the Court concerned and upon hearing the parties, if it is found to be correct, the bail bonds of the petitioner shall be cancelled and he shall be taken into custody.

The Court below shall fix dates in the case every month for the next nine months when both the petitioner and opposite party no. 2 shall appear and the Court shall record its finding with regard to the relationship. If after nine months, the Court comes to the conclusion that the relationship has been restored, the provisional bail of the petitioner shall be confirmed. However, liberty given to the opposite party no. 2 shall continue

even after confirmation of bail of the petitioner.

The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

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