

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19272 of 2015

Arising Out of PS.Case No. -115 Year- 2014 Thana -SINGHIYA District- SAMASTIPUR

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1. Niraj Kumar Singh @ Banti Son of Sri Anil Singh, Resident of Village - Nisahra, Police Station - Bakhri, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pooja Kumari, Wife of Niraj Kumar Singh @ Banty and Daughter of Harishankar Singh, Resident of Village - Singhia - 2, Police Station - Singhia, District - Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Mr. Atul Chandra(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 15-12-2015 Heard learned Counsel for the petitioner and learned Counsel appearing on behalf of the O.P. No. 2.

The petitioner and O.P. No. 2 are also present in person. On last occasion, this Court had directed that the petitioner shall collect his wife O.P. No. 2 and take her to her matrimonial home. It was expected that he would go to her village home and collect her and thereafter they would stay together in the conducive atmosphere. However, despite the lapse of almost two months, this Court is constrained to note that the process of reconciliation has in fact failed and there has been no effort on the part of the petitioner to reconcile with his wife Puja Kumari. In fact, he has made it clear in Court today that he is not willing to keep her

though, in the affidavit filed before this Court earlier, he had represented that he was willing to keep her with full honour and dignity to the best of his capabilities. This was in fact a false statement, made only to obtain an interim order in his own favour. O.P. No. 2 is, however, willing even today to go with her husband but he is not willing to take her.

Considering the reluctant attitude of the petitioner and that he had mislead this Court in obtaining interim order in his favour and in view of the facts and circumstances of the case, the interim order passed in his favour stands recalled. The prayer for anticipatory bail is thus rejected.

(Anjana Mishra, J)

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