

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 33521 of 2014

Arising Out of Complaint Case No. -629 C Year- 2011 Thana –Complaint Case District- Supaul

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Md Tajmul @ Md. Tajamul Son of Md. Basir, Resident of village -
Chhitihipalar, P.S. - Bhaptiyahi, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rustam Khatoon, Daughter of Md. Rajjak Resident of Village -
Maheshpur, P.S. - Pipra, District- Supaul.

.... 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 ORDER

3 11-05-2015 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party
no. 2.

Pursuant to notice, opposite party no. 2 has
appeared. Earlier the petitioner was granted provisional bail
in the background of the stand that neither he has re-married
nor there is any other woman in his life and also that he is
ready to keep the opposite party no. 2 as his wife with full
dignity, honour and security. Today also learned counsel for
the petitioner maintains the stand.

Learned counsel for the opposite party no. 2 also
submits that he is ready to go and live with the petitioner and
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 in the following terms:-

The petitioner and opposite party no. 2 shall
appear before the Court below on 21st May, 2015 along with a

copy of this order. The petitioner shall give an undertaking before the Court that he shall keep the opposite party no. 2 with full dignity, honour and security and shall also provide for all her needs. He shall also undertake that the opposite party no. 2 shall be free to talk to and meet her relatives as and when she desires and they can also visit the opposite party no. 2 without any objection or hindrance either from the petitioner or his family members. The petitioner shall thereafter take the opposite party no. 2 along with him to the matrimonial home. The Court shall then fix dates in the case every month for the next six months when the parties shall appear and the Court shall record its finding with regard to the relationship between the parties. After six months, if the Court finds that the relationship has been restored, the provisional bail granted to the petitioner shall be confirmed. The opposite party no. 2 shall be at liberty to file application before the Court below in case there is any violation of the terms and conditions of the undertaking given by the petitioner or if she is otherwise harassed by the petitioner or his family members. 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. Such liberty given to the opposite party no. 2 shall continue even after the bail has been confirmed.

(Ahsanuddin Amanullah, J.)

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