

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24283 of 2014

Arising Out of PS.Case No. -239 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Agahanu son of Late Latif
2. Md. Ekhlaque son of Agahanu,
Both resident of village - Kadwa, P.S. Kasba, district - Purnea
..... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Sahin wife of Md. Ekhlaque, D/o Md. Dumman resident of village -
Kadwa, P.S. Kasba, district - Purnea
..... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

9 13-01-2016 Heard learned counsel for the parties.

Though as per order dated 09.12.2015, the Opposite Party No. 2 was to be present in Court, learned counsel appearing on her behalf submits that due to misconception, she is not present. However, he submits that she is ready to go and live with the petitioner no. 2 and the Court may safeguard her interest.

Learned counsel for the petitioners submits that the petitioner no. 2 is ready to keep the Opposite Party No. 2 with him as his wife with full dignity, honour and security.

In view of the aforesaid, let the petitioners and the O.P.No. 2 appear before the court below on 28.01.2016 when the petitioner no. 2 shall give an undertaking that he shall keep the Opposite Party No. 2 with him as his sole wife with full dignity, honour and security and

shall also provide for all her needs. He will also undertake that the Opposite Party No. 2 shall be free to talk to and meet her relatives without any let or hindrance.

The court below shall fix dates in the case every month when both the parties shall appear and the court below shall record a finding with regard to the relationship between the petitioner no. 2 and the Opposite Party No. 2. If after nine months, the court comes to the conclusion that the relationship has been restored, the provisional bail granted to the petitioners on 14.08.2014 in C.A.Case No. 239 of 2013 shall be confirmed.

The Opposite Party No. 2 shall be at liberty to file a petition before the court below in case there is any violation of the terms and conditions of the undertaking given by the petitioner no. 2 or she is otherwise harassed either by the petitioners or their family members. Upon such a petition being filed, the court below, upon hearing the parties, shall proceed to pass appropriate orders including cancellation of the bail bonds of the petitioners. Such liberty shall continue even after the bail of the petitioners has been confirmed.

The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Sujit/-

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