

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19505 of 2015

Arising Out of PS.Case No. -61 Year- 2015 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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Amarkant Kumar S/o Chandeshwar Paswan R/o Village Bari yusufpur, P.s industrial Area, Distt- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar
2. Archana Devi w/o Amarkant kumar R/o mohalla Ambedkar Nagar (Pokhara mohalla), P.s Hajipur Town, Distt- Vaishali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. S.N Shukla (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

11 02-03-2016 Heard learned counsel for the petitioner and the

opposite party no. 2.

The petitioner and the opposite party no. 2

along with her child aged about 6 years and her father are

present in Chamber, today.

On the last occasion, this court, after

considering the statement on affidavit, made by the

petitioner that he is willing and ready to keep his wife with

full dignity and honour, had extended the benefit of interim

protection to the petitioner. The matter had also been sent to

the Mediation Centre for resolving the dispute but the

process of mediation failed.

Learned counsel for the petitioner submits that



at present, there is no scope of re-conciliation, as the petitioner is not willing and ready to keep the opposite party no. 2 on account of her bad behaviour. The statement that he is ready and willing to keep the complainant-opposite party no.2 with full dignity and honour was made on affidavit by the petitioner at the time of passing the first order, only with a view to take the benefit of interim protection in his favour.

Opposite party no. 2, however, is ready and wishes to stay with her husband but the petitioner declines to have any further marital relationship with her.

Under the circumstances, it appears that the petitioner is absolutely recalcitrant and does not deserve any relief from this Court as he is misleading this court and also filed an affidavit stating therein that he is ready and willing to keep her wife with full dignity and honour and as such, the interim order dated 09.07.2015 stands vacated and prayer for anticipatory bail of the petitioner is rejected.

However, it is made clear that in view of the order passed today, the petitioner will not create any hindrance to the opposite party no. 2 when she goes to collect her personal belongings from the house of the

petitioner and if necessary, the local police shall also cooperate with the opposite party no. 2 so that there shall be no untoward incident.

(Anjana Mishra, J)

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