

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 32098 of 2014

Arising Out of PS.Case No. -128 Year- 2014 Thana -JAGDISHPUR District- BHOJPUR

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Hakim Mahto, Son of Late Raj Kumar Mahto, resident of village - Chhotaki Haradiya, P.S. Jagdishpur, District – Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Malti Kumari W/o Hakim Mahto, D/o Nathuni Singh resident of village - Sobhi Dumara, P.S. Arrah Muffasil, District – Bhojpur.

.... 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: 03-02-2016

Heard learned counsel for the parties.

The petitioner had earlier been granted provision bail and notice was issued to the opposite party no. 2.

Today learned counsel for the petitioner takes a categorical stand that he is ready to keep the opposite party no. 2 with him as his sole wife with full dignity, honour and security.

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

Having considered 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 the opposite party no. 2 shall appear before the Court below on 12th of February, 2016 along with a copy of this order when the petitioner shall give an

undertaking before the Court that he shall keep the opposite party no. 2 with him in the matrimonial home with full dignity, honour and security and shall also provide for all her needs. He shall also undertake not to create any let or hindrance in her either meeting or talking to her relatives. If there is any violation of the terms and conditions of the undertaking, the opposite party no. 2 shall be at liberty to file an application before the Court below and the Court upon hearing the parties shall pass appropriate orders including cancellation of the bail bonds of the petitioner. The Court shall fix dates in the case every month for the next nine months when the petitioner and the opposite party no.2 shall appear before the Court on the dates fixed and the Court shall record a finding with regard to the status of the relationship. If after nine months, it is found that the relationship has been restored, the provisional bail granted to the petitioner shall be confirmed. The liberty granted to the opposite party no. 2 shall continue even after the bail of the petitioner is confirmed.

(Ahsanuddin Amanullah, J.)

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