

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34337 of 2014

Arising Out of PS.Case No. -63 Year- 2013 Thana -AWADPUR District- KATIHAR

=====

Md. Rahimul @ Rahimul S/o Mahiful R/o Village Shivanandpur, P.S. Awadpur,
District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Kalam S/o Late Md. Sarafat R/o Village Maltipur, P.S. Abadpur, District Katihar.
3. Nursheba Khatoon, W/o Md. Rahimul, D/o Md. Kalam, R/o Village Maltipur, P.S. Abadpur, District Katihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 24-02-2016

Heard learned counsel for the parties.

The petitioner had earlier been granted provisional bail by order dated 25.11.2014 and notice was issued to Opposite Parties No. 2 and 3 i.e., the father-in-law and the wife of the petitioner respectively.

Learned counsel for the petitioner submits that because of the O.P. No. 3 herself, as she is not ready to reside with the petitioner, he was forced to perform second marriage and all the allegations relating to torture and demand of dowry are false. However, he submits that he is ready to take care of the needs of the O.P.No. 3 i.e., his wife and the minor child.

Learned A.P.P. and learned counsel for the Opposite Parties No. 2 and 3 submit that the Court may safeguard the interest of the O.P. No. 3 and her child as she has no other means of livelihood or any assets to fall back upon.

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 provisional bail granted to the petitioner by order dated 25.11.2014 stands confirmed subject to the condition that the petitioner shall pay a sum of Rs. 2000/- per month to the O.P.No. 3, which shall be deposited in the court below latest by 10th of the following month and the O.P. No. 2 shall be at liberty to withdraw the same. Any failure on the part of the petitioner to comply with the aforesaid direction shall lead to the court cancelling his bail bonds and the grant of bail to the petitioner shall be deemed to have been rejected and the petitioner shall be taken into judicial custody. The first payment shall start from the month of February, 2016 to be deposited latest by 10th March, 2016 and likewise thereafter.

(Ahsanuddin Amanullah, J)

Sujit/-

U			
---	--	--	--