

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34828 of 2014

Arising Out of Complaint Case No. -450 Year- 2010 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

Chandradeo Paswan son of late Atarlal Paswan, resident of Village Chotichak,
Gogri Jamalpur, P.S. Gogri, District Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

2. Asha Devi wife of Shri Chandradeo Paswan, daughter of late Atma Ram
Paswan, resident of Mohala Lakshmipur, Ward No. 18, P.S. Rosera, District
Samastipur.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 10-02-2016

Heard learned counsel for the parties.

The petitioner was earlier granted provisional bail by
order dated 04.12.2014. Today, learned counsel for the petitioner
reiterates his stand that he is ready to keep the opposite party no. 2
with him as his sole wife along with the child with full dignity,
honour and security and shall take care of all their needs.

Learned counsel for the opposite party no. 2 also submits that she is ready to go and live with the petitioner along with the child provided her interest is safeguarded.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner and opposite party no. 2 appear before the Court below on 15th February, 2016 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 as his sole wife and the child with full dignity, honour and security and shall take care of all their needs. He will also undertake not to prevent the opposite party no. 2 either from talking to or meeting her relatives. The Court shall fix dates in the case every month when the petitioner and the opposite party no. 2 shall appear before the Court and the Court shall record a finding with regard to the relationship. After nine months, if the Court comes to the conclusion that the relationship has been restored, the provisional bail granted to the petitioner shall be confirmed. If there is any breach of the terms of the undertaking or the opposite party no. 2 feels threatened or harassed either by the petitioner or his family members, she shall be at liberty to file an appropriate application before the Court below. If such an application is filed, the Court below, after hearing the parties, shall pass appropriate orders including

cancellation of the bail bonds of the petitioner in the present case. The liberty granted to the opposite party no. 2 shall continue even after the bail of the petitioner has been confirmed.

The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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