

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23334 of 2014

Arising Out of PS.Case No. -255 Year- 2013 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

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Chandan Paswan Son of Shakaldeep Paswan Resident of Village - Prataptand, P.S.-
Bhagwanpur, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Shivani Kumari, daughter of Devendra Paswan, resident of Village Mathurapur,
P.S. Bidupur, District Vaishali.

.... 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 JUDGMENT

Date: 02-03-2016

Heard learned counsel for the parties.

Pursuant to order dated 24.02.2016, the Superintendent of Police, Vaishali is present and files show cause. He has tendered unconditional and unqualified apology for not having complied with the earlier order of the Court dated 03.02.2016.

It is submitted that the whereabouts of the opposite party



no. 2 could not be ascertained and the police are still working to locate her. It is further submitted that the uncle of the opposite party no. 2 has informed the police that she has remarried but he is not aware where she is living. The Superintendent of Police, Vaishali has also brought with him Ravindra Paswan, who is the brother of the father of the opposite party no. 2. He also states before the Court that the opposite party no. 2 has remarried.

Learned counsel for the petitioner submits that in view of the aforesaid, the provisional bail granted to the petitioner earlier by order dated 27.08.2014 be confirmed. He further submits that as per the order dated 24.02.2016, the petitioner is also present in Court along with Rs. 5,000/- in cash which was to be handed over to the opposite party no. 2 had she appeared.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the provisional bail earlier granted to the petitioner by order dated 27.08.2014 stands confirmed, subject to the condition that Rs. 5,000/- in cash brought by the petitioner today shall be deposited within one week from today before the Court below which shall invest the same into a Fixed Deposit in the name of the opposite party no. 2, which she would be entitled to withdraw whenever she wants. Further, within the same period, the petitioner shall give an undertaking before

the Court that he shall not in any way either interfere with or meddle in the affairs of the opposite party no. 2.

Any violation of the condition/undertaking shall lead to cancellation of the bail bonds of the petitioner and it would be deemed that his prayer for bail has been rejected by this Court.

The police is now not required to produce the opposite party no. 2 before the Court.

The application stands disposed off in the aforementioned terms.

The personal appearance of the Superintendent of Police, Vaishali stands dispensed with.

(Ahsanuddin Amanullah, J)

Anjani/-

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