

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 24956 of 2016

Arising Out of Complaint Case No. -90 Year- 2014 Thana -MADHUBANI COMPLAINT CASE
District- MADHUBANI

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Bindeshwer Ram Son of Soti Ram, resident of Village - Baliya Tole Khairi, P.S.
Lakhnaur, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sonam Devi wife of Bindeshwer Ram Daughter of Ganga Ram, resident of
Village Balia Tole - Khairi, P.S. - Lakhnaur, District - Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate
For the Opposite Party No. 2	:	Mr. Arun Kumar Prasad, Advocate
For the State	:	Mr. M. Rab, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 26-07-2017

Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party no. 2.

2. At the very outset, learned counsel for the opposite
party no. 2 submitted that the opposite party no. 2 presently has no
compliant against the petitioner. However, he submitted that the
Court may protect her interest in future.

3. Learned counsel for the petitioner undertakes that
the petitioner shall keep the opposite party no. 2 and his four
children born out of the wedlock, with full dignity, honour and



security in the matrimonial home and shall also provide for their needs.

4. Learned A.P.P. submitted that the Court may direct the petitioner to file an undertaking on oath before the Court below so that he is bound by such commitment in law.

5. The Court agrees with the suggestion of learned A.P.P.

6. Having regard to the aforesaid, the application stands disposed off by confirming the provisional bail earlier granted to the petitioner under order dated 07.06.2016. However, at the time of confirmation, the petitioner shall file a written undertaking on oath that he shall keep the opposite party no. 2, along with the four children with full dignity, honour and security and shall also provide for their needs. Any breach of the terms and conditions of the undertaking shall lead to cancellation of the bail bonds of the petitioner and he shall be taken into custody and his prayer for bail shall be deemed to have been rejected. The opposite party no. 2 shall have liberty to file an application, in case there is any breach of the conditions of the undertaking, before the Court below. Upon filing of such petition, the Court below, after giving an opportunity of hearing to the petitioner, shall pass appropriate orders. If it is found that the petitioner has violated the terms and conditions of the undertaking, it



shall also lead to cancellation of the bail bonds of the petitioner and
he shall be taken into custody.

(Ahsanuddin Amanullah, J.)

P. Kumar

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