

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76634 of 2018

In
CRIMINAL MISCELLANEOUS No.31903 of 2015

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Suman Devi W/o Kushalendra Singh @ Kaushalendra Pratap Singh @ Shailendra Singh R/o Bhojpurwa, P.S. Mohammadpur, Distt.- Gopalganj at present Bhatahi, P.S.Kuchaikote Distt.-Gopalganj also at the Hose of Sri Ram Singh Muhalla-Telguga Awashiya Clolony Quarter No.A/2-Sarisa Pahari P.S. Chirkunda, Distt.-Dhanbad,Jharkhand.

... .. Petitioner.

Versus

1. The State of Bihar.
2. Kaushalendra Singh @ Kaushalendra Pratap Singh @ Shailendra Singh, son of Dharmnath Singh, R/o Bhojpurwa,P.S. Mohammadpur, Distt./town-Gopalganj at present Bhatahi P.S. Kuchaikote Distt.-Gopalganj

... .. Opposite Parties.

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Appearance :

For the Petitioner	:	Mr.Ravi Shankar Ganguli
For the Opposite Party No.2:	:	Mr. Shyama Kant Singh
For the State	:	Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

7 10-04-2019 Heard learned counsel for the petitioner, opposite party no.2 and the State.

It is submitted by learned counsel for the petitioner that despite undertaking given by opposite party no.2 before this Court to keep the petitioner with him with full honour and dignity provided that the family members of the petitioner will not interfere in his family life, opposite party no.2 has not taken the petitioner with him and kept in the marital house in utter violation of order of this Court passed on the basis of his undertaking.



Learned counsel for the opposite party no.2 Mr. Shyama Kant Singh turning before the Court frankly submitted that he has made hectic effort to persuade opposite party no.2, but he is not ready to take the petitioner and keep her with him.

From perusal of record, it appears that on the aforesaid undertaking of opposite party no.2, this Court vide order dated 26.10.2018 had disposed of Cr. Misc. No.31903 of 2015 with a direction to the learned Court below not to take any coercive step against the opposite party no.2 during pendency of the case but the opposite party no.2 has not honoured the said undertaking rather violated the same.

Accordingly, the order dated 26.10.2018 passed by this Court in Cr. Misc. No.31903 of 2015 is hereby recalled and this petition stands disposed of.

(Prakash Chandra Jaiswal, J)

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