

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11340 of 2020

Arising Out of PS. Case No.-635 Year-2019 Thana- TURKAULIYA District- East Champaran

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NASEER ALAM Son of Naimuddin Mia @ Naimuddin Ansari Ward No. -06,
Village - Jatwa, P.O- Siswaniya, P.S.- Banjaria, District- East Champaran.

... .. Petitioner/s

Versus

1.The State of Bihar
2. Shabrun Nisha, W/o Naseer Alam, R/o Village Jatwa, P.S. Banjaria,
District-East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Asif Kalim, Adv.
For the Opposite Party/s :	Mr. Yogendra Kumar Singh, APP'
For the Informant-O.P. no.2:	Mr. Patanjali Rishi, Adv.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

8 18-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 498A and 34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that by order dated 29.2.2020 passed in the instant case, the petitioner was enlarged on bail. Subsequent thereto, as a result of settlement of the differences between the parties, the O.P. no.2 is residing with the petitioner in her sasural. The relationship between the parties are cordial and the petitioner undertakes to keep her with all due respect and dignity.

Learned counsel for the O.P. no.2 appears and submits that as per instructions received, it is true that the O.P.



no.2 is living in her sasural, however, an apprehension is expressed that once the provisional bail granted to the petitioner is confirmed, the behaviour of the petitioner may return back which led to lodging of the F.I.R.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the subsequent development which have taken place during pendency of this application, the O.P. no.2 living in her sasural and the undertaking given by the petitioner, the provisional bail granted to the petitioner by order dated 29.2.2020 passed in the instant case in connection with Turkauliya P.S. Case no.635 of 2019 to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran, is hereby confirmed.

It goes without saying that in case the petitioner does not abide by his undertaking, it will always be open to the O.P. no.2 to bring the developments to the knowledge of the learned trial court and the learned trial court will be at liberty to proceed in accordance with law including cancelling the bail bond of the petitioner and take him into custody.

(Partha Sarthy, J)

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