
(2008) 01 PAT CK 0165
In the Patna High Court
Case No : Cr.WJC No. 1070 of 2007

Shiv Shankar Bind

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 31-01-2008

Acts Referred:

Citation : (2008) 2 PLJR 622

Hon'ble Judges : Rajesh Balia, C.J;Barin Ghosh, J

Bench : Division Bench

Final Decision : Allowed

Judgement

1. Heard counsel for the parties and interviewed the girl Punam alias Chanchala Kumari, the petitioner Shiv Shankar Bind who is also present alongwith his father. Parents of the girl had appeared on the last date but today they are absent. In this petition, an application has been moved on behalf of the petitioner for release of the girl from After Care Home so that she could return to her matrimonial home.
2. During the course of our interview with the father and grandfather of the girl, we noticed that they were not able to deny the factum of marriage though they were not willing to recognize it being an inter-caste marriage. The girl is not willing to go with her father but has shown her willingness to go to her matrimonial home wherefrom she will be taken to Bangalore by her husband where he is gainfully employed.
3. The petitioner has stated that he is employed at Bangalore and earns about Rs. 7,000/- per month and will take his wife alongwith him to Bangalore.
4. We are satisfied that the petitioner is gainfully employed in Bangalore. It is not in dispute that the girl is more than seventeen years old.
5. In the facts and circumstances, it is expedient to release the girl from the After Care Home and allow her to go alongwith the petitioner who is present here

and desires to take the girl to Bangalore.

6. Accordingly, the petition is allowed. The girl may be released from the After Care Home and is allowed to go with the petitioner from the Court. The welfare of the girl shall be reported every two months. This information shall be submitted by the counsel for the petitioner. First such report shall be submitted on or before 1st April, 2008 and for this purpose, learned counsel for the petitioner may seek information from the girl in her own handwriting. The petition stand disposed of.