

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14349 of 2014

Arising Out of PS.Case No. -1760 Year- 2011 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Vikash Mishra Son Of Late Deo Narayan Mishra Resident Of Village
Kerbar, P.S- Bisfi, District- Madhubani.

.... Petitioner/s

Versus

1. The State Of Bihar Null Null
2. Smt Nisha Kumari D/O Shiv Kumar Mishra Resident Of Village Adarsh
Nagar Near Primary School Madhubani, P.S- Madhubani And District-
Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Pramod Kr.Panday(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 31-08-2015 Heard learned counsel for the petitioner and learned
counsel for the opposite party no. 2.

Vide order dated 29.07.2015, this Court had
directed the petitioner to make payment of the rest amount
within a period of one month as has been committed in the
compromise petition filed along with the supplementary
affidavit. It appears that the total amount of Rs. 4,50,000/-
has been fixed as one time settlement between the parties but
till date only Rs. 2,00,000/- has been paid to the opposite
party no. 2.

It is submitted on behalf of the opposite party no. 2
that the said amount of Rs. 4,50,000/- was to be paid in three
equal installments but the petitioner after depositing the first

installment in court did not pay the rest amount but he has recently paid 20,000/- in two equal installments, pursuant to the earlier direction passed by this Court and as such, as on date, the petitioner still has to deposit 2, 50,000/- so that the compromise petition filed between the parties can come into effect.

This Court feels that the petitioner is unnecessarily harassing the opposite party no. 2 as even though he has entered into compromise with her and agreed to pay the money to the lady in question and his daughter, he is prevaricating from the same and adopting all shorts of delay tactics. It has also been submitted by the opposite party no. 2 that the petitioner has remarried and is enjoying happily married life after entering into illegal marriage.

In view of the above facts and circumstances, this Court directs that the petitioner shall deposit the rest amount of Rs. 2, 50,000/- within a period of four weeks from the date of receipt/production of a copy of this order, failing which the provisional anticipatory bail granted to the petitioner vide order dated 27.03.2014, shall stand recalled.

With the aforementioned directions, this application stands disposed of.

(Anjana Mishra, J)

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