

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47035 of 2012

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Dudh Nath Tiwari S/O Late Ram Nagina Tiwary R/O Village- Kushudhar,
P.S.- Baghaila, District- Rohtas

.... Petitioner/s

Versus

1. The State Of Bihar
2. Bibha Devi, W/O Dudh Nath Tiwary Resident Of Village + P.O.-
Rajpur, P.S.- Rajpur, District- Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar-2 (APP)
For the O.P. No.2 : Mr. Dhaneshwar Prasad Gupta, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

14 22-06-2016

Heard learned counsel for the petitioner and counsel

for the State as also counsel for the opposite party no.2.

This Court vide order dated 4.11.2015 had directed the petitioner to pay a sum of Rs. 7,000/- to his wife and two children. Learned counsel for the petitioner submits that the petitioner has been paying the aforesaid amount regularly without any default whereas learned counsel for the opposite party no.2 has submitted that the petitioner has only paid the amount as per order dated 4.11.2015 up to December, 2015 and, thereafter, no payment has been made to the opposite party no.2.

The court below is directed to verify the statement as with regard to payment to the opposite party no.2 and if the

payment has been made to the opposite party no.2 without any default, the petitioner shall remain on bail but, if it is found that the petitioner has not paid the amount in terms of the order dated 4.11.2015, the court below firstly shall give an opportunity to the petitioner to deposit the arrear as well as current amount to the opposite party no.2 and if the petitioner again fails to pay the same within a period of fifteen days from the order of the court below, he will be taken into custody.

This application is, accordingly, disposed of.

(Shivaji Pandey, J)

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