

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20993 of 2014

Arising Out of PS.Case No. -483 Year- 2013 Thana -SHASTRINAGAR District- PATNA

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Jitendra Kumar Singh S/o Rang Bahadur Singh R/o Mohalla Chanakyapuri,
P.S. Shashtrinagar, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Punam Kumari W/o Jitendra Kumar Singh R/o Mohalla Canakyapuri,
P.S. Shashtrinagar, District Patna, Present R/o Mohalla Anandpuri West
Boring Canal Road, P.S. S.K. Puri, District Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar

For the Opposite Party/s : Mr. Ram Chandra Singh(App)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

5 05-07-2017 This matter was earlier heard by this Court on 30.6.2017 when the counsel for the Opposite Party No. 2 brought to the notice of the Court that after obtaining the interim relief by order dated 21.5.2015 the petitioner is neither paying the amount as directed by this Court nor appeared in this case deliberately.

In the order dated 30th of June, 2017, it was made clear that as a last indulgence, the case is adjourned to 5th of July, 2017 and on that day if no one appears on behalf of the petitioner, the Court will proceed and pass appropriate order in accordance with law.

Today when the case was called out, no one appeared on behalf of the petitioner to assist the Court.



It appears from the order dated 21.5.2015 that while issuing notice to the opposite party No. 2, this Court had directed the petitioner to deposit Rs. 750/- per month in the court below which the wife of the petitioner will be at liberty to withdraw without prejudice to the right of the parties. But unfortunately the petitioner has not obeyed the direction issued by this Court on 21.5.2015 and has not deposited Rs. 750/- per month as directed by this Court.

In view of the fact that counsel for the petitioner has not appeared on 29th June, 2017 as well as 30th June, 2017 and even today despite clear stipulation in the order that the court will pass appropriate order in accordance with law if no one appears on behalf of the petitioner, this Court is left with no option but to dismiss the petition for non-prosecution. It is ordered accordingly.

The Court below is directed to proceed with the case in accordance with law and expeditiously conclude the trial of Trial No. 3000 of 2014, arising out of Shastrinagar P.S. Case No. 483 of 2013.

(Anil Kumar Upadhyay, J)

S.Pandey/-

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