

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51045 of 2013

Arising Out of PS.Case No. -854 Year- 2011 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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Shashikant Sinha S/O Ram Pravesh Singh Resident Of Village/ Mohalla
Dak Bangala Road Harnaut, Police Station- Harnaut, District- Nalanda.

.... Petitioner/s

Versus

1. The State Of Bihar

2. Anamika Kumari D/O Sidhanath Singh Resident Of Village/ Mohalla
Harnaut Bichali Bazar, Police Station- Harnaut, District- Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Shahin Begum(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

11 21-02-2018 Heard learned counsel for the petitioner, learned
counsel for the opposite party no. 2 and learned counsel for the
State.

Petitioner sought quashing of the order dated
23.10.2013 passed by the Judicial Magistrate, 1st Class,
Biharsharif in connection with Complaint Case No. 854 (c) of
2011 lodged by the opposite party no. 2 against the petitioner who
is her husband for offence alleged under Section 498A, 323, 379,
504/34 of the Indian Penal Code. By order dated 23.10.2013,
learned Judicial Magistrate, Biharsharif had issued non-bailable
warrant of arrest against the petitioner as he had violated the



directions given by the learned Sessions Judge, Nalanda whereby he had to make payment to the opposite party no. 2. The petitioner had undertaken to make payment of Rs. 6000/- per month along with all arrears which is evident from the order dated 17.07.2014 passed earlier. A supplementary affidavit has been filed on behalf of the petitioner today stating therein that from the date of the order from April 2012 till august 2017 a sum of Rs. 3,90,000/- has already been paid by the petitioner to the opposite party no. 2 and monthly payment of Rs. 6000/- is being made.

Counsel for the opposite party no. 2 does not dispute the said position.

In view of the same that the arrears of payment has already been received by the opposite party no. 2 and monthly payment of Rs. 6000/- is being made, the entire proceedings in relation to Complaint Case No. 854 (c) of 2011 including the order dated 23.10.2013 is quashed. However, it is made clear that the petitioner will continue making monthly payment of Rs. 6000/- to the opposite party no. 2.

This application is, accordingly, disposed off.

(Nilu Agrawal, J)

Devendra/-

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