

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35191 of 2014

Arising Out of PS. Case No.-10 Year-2014 Thana- BARBIGHA District- Sheikhpura

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1. Prakash Prasad S/o Shyam Sundar Prasad
 2. Shyam Sundar Azad @ Shyam Sundar Prasad S/o Late Santlal Prasad
 3. Kaushlya Devi W/o Shyam Sundar Prasad @ Shyam Sundar Azad
 4. Mukesh Kumar S/o Shyam Sundar Prasad @ Shyam Sundar Azad
All Resident of Ner, Police Station Makhdumpur, District Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Seema Chauhan D/o Ram Khelawan Prasad Nonia At present Resident of Sakaldev Nagar, Police Station Barbigha, District Sheikhpura. Or Resident of Village Dariyapur Tola, Mahadeo Bigha, Police Station Islampur, District Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagdish Roshan
For the Opposite Party/s : Mr. Anand Kishor Choudhary (App)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

14 16-05-2018 Enough is enough.

The court granted numerous opportunity to the petitioners to settle the dispute but the attitude adopted by the petitioner manifests that the petitioners are not interested in settling the dispute. The court has noticed during the pendency of this case indicating that there is no sign for any settlement between the parties.

Counsel appearing on behalf of the State submitted that considering the age of opposite party No.2 and status of petitioner in order to settle the dispute as one time settlement



amount the petitioner may be directed to deposit 25,0000/-
(Twenty five lakhs).

In the order dated 10.1.2018 this court has noticed certain material which indicate that petitioner no.1 is in adulterous relation and has offspring out of such adulterous relation. This factual position has not been disputed by the petitioner.

Under the aforesaid, circumstance when the petitioners are not interested to settle the dispute by making payment of one time settlement as indicated in the order dated 24.1.2018 the court is not inclined to grant any further time.

Considering the totality of facts situation the court is constraint to dismiss this application. The interim order passed in this case shall stand automatically withdrawn in view of the dismissal of the order.

(Anil Kumar Upadhyay, J)

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