

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.705 of 2014

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Narayan Prasad S/o Sri Rambabu Prasad Resident of Village Maharj Nagar,
Biswakarma Hata, P.S. Ara Town, District Bhojpur.

.... Petitioner/s

Versus

1. Kiran Devi D/o Gopal Jee Prasad Resident of Shital Tola Shivgmi, Ara, P.S. Ara
Town, Bhojpur.
2. Bishnu Jee Kumar Minor son of Kiran Devi Resident of Shital Tola Chirgami
Ara, P.S. Ara Town, District Bhojpur under the Guardianship of his mother Kiran
Devi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the State : Shri Madan Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 25-06-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner who is the husband of the Opposite Party

No. 1 seeks revision of the order dated 1.5.2014 by which the
Principal Judge, Family Court, Ara, Bhojpur, in Misc. Case No. 41 of
2012 directed payment of Maintenance of Rs.2,000/- and 1,000/-
respectively to the Opposite Parties No. 1 and 2.

It has been submitted that he is not liable for
maintaining the Opposite Party No. 1, since she was living in adultery
when Opposite Party No. 2 was born and his marriage has been
dissolved on such ground.

On such submission, notices had been issued to the

Opposite Party No. 1 but despite service of notice, she has chosen not to present before this Court.

Considering the aforesaid aspect of the matter, the application is allowed and the order dated 1.5.2014 passed by the Principal Judge, Family Court, Ara, Bhojpur, is hereby set aside to the extent that the Petitioner was not paid any maintenance to the Opposite Parties.

With aforesaid observation, the application stands disposed off.

(Anjana Prakash, J)

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