

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No. 1257 of 2012

Arising out of P.S. Case No. -null Year- null Thana -null
District- -

=====

Baidyanath Das S/o Rajendra Das Resident of Village- Rasulpur
Kothi, P.S.- Hayaghat, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Neelam Devi W/o Baidyanath Das Resident of Village- Rasulpur
Kothi, P.S.- Hayaghat, District- Darbhanga, at Present Resident
of Village- Milki Chak, P.S.- Bahadurpur, District- Darbhanga.
3. Shiv Dayal Das S/o Surendra Das Resident of Village and P.O.-
Sidhau, P.S.- A.P.M. Hayaghat, District- Darbhanga.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha, Adv.

For the Respondent/s : Mr. Pranav Kumar, Adv.

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 20-04-2015

It has been submitted that the Opposite Party
No. 2 has remarried with the Opposite Party No. 3 and,
therefore, the order dated 03.09.2012 passed by the
Principal Judge, Family Court, Darbhanga in Maintenance
Case No. 55 of 2009 by which he has allowed
maintenance of Rs. 1,000/- per month to the Opposite
Party No. 2 under Section 125 Cr.P.C. be set aside.

On the last occasion, notices had been issued to
the Opposite Party No. 2 but despite service of the same
upon her none appears on her behalf.

Having accepted the submission so raised when
there is no opposition in its regard from the Opposite

Party No. 2, the order dated 03.09.2012 passed by the Principal Judge, Family Court, Darbhanga in Maintenance Case No. 55 of 2009 is, hereby, set aside.

The Application stands allowed.

However, if the Opposite Party No. 2 is aggrieved with the present order she may file an application in the Court below.

(Anjana Prakash, J.)

Vikash/-

U		T	
---	--	---	--