

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33871 of 2016

=====

Shailendra Rai @ Shailendra Kumar Rai, Son of Late Ambika Rai, Resident of village- Hariharpur, P.S. Ekma, District- Saran at Chapra.

.... Petitioner

Versus

1. The State of Bihar.
2. Sunita Devi, W/O Shailendra Rai @ Shailendra Kumar Rai
3. Amit Kumar, Son of Shailendra Rai @ Shailendra Kumar Rai Both residents of village- Hariharpur, P.S. Ekma, District- Saran at Chapra, at present Resident of Village + P.O. Tarwa Pojhia, P.S. Kopa, District- Saran at Chapra.

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Anil Kumar Tiwary, Advocate.

For the Opposite Parties : Sri Anant Kumar, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-08-2016 Heard both sides.

The petitioner has filed this petition under Section 482 Cr.P.C. for quashing the order dated 02.06.2016, passed by learned Sub-Divisional Judicial Magistrate, Saran, Chapra.

It appears that vide order dated 17.08.2011 passed in Cr. Misc. No. 24426 of 2011, this Court has directed the petitioner to pay Rs. 3000/- per month to his wife by way of interim maintenance subject to the order passed in maintenance case.

It is submitted that the maintenance case has already been allowed and the Family Court, Saran at Chapra directed the petitioner to pay a sum of Rs. 5000/- per month to his wife and Rs. 2000/- per month to his son as maintenance.

The learned counsel for the petitioner seeks permission to withdraw the petition with liberty to file modification of the order dated 17.08.2011 passed in Cr. Misc. No. 24426 of 2011.

Considering the facts aforesaid, this petition is dismissed as withdrawn.

(Prabhat Kumar Jha, J.)

KKSINHA/-

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