

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22570 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- LAKHISARAI

=====

Parmanand Yadav @ Parmanand Kumar Yadav son of Sargun Yadav @ Shrawan Yadav, resident of village- Garhi Bishanpur, P.S. + District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
 2. Sima Devi wife of Parmanand Yadav @ Parmanand Kumar Yadav.
 3. Abhishek Kumar @ Piyush Kumar son of Parmanand Yadav @ Parmanand Kumar Yadav (minor) under the guardianship of his mother namely Sima Devi
- Both are resident of village- Garhi Bishanpur, P.S. + District- Lakhisarai. At present resident of village- Chhoti Kabaiya, P.S. + District- Lakhisarai.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party No.2 : Mr. Rajnish Chandra, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT
Date: 04-08-2017

This application under Section 482 of the Code of Criminal Procedure (for short 'the CrPC') has been filed for quashing the ad-interim order dated 12.08.2016 passed by the learned Principal Judge, Family Court, Lakhisarai in Maintenance Case No.14 of 2016 by which the petitioner was directed to pay rupees one thousand eight hundred to opposite party no.2 as ad-interim maintenance.

2. Considering the fact that the marriage of the petitioner with opposite party no.2 and that their minor son is living with the opposite party no.2 is not in dispute, if the Principal Judge, Family Court has directed the petitioner to pay rupees one thousand eight



hundred as ad-interim maintenance to opposite party no.2 in Maintenance Case No.14 of 2016, by no stretch of imagination, the order impugned can be held to be illegal.

3. Accordingly, this application, preferred against the aforesaid order dated 12.08.2016 passed in Maintenance Case No.14 of 2016, under Section 482 of the CrPC is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	11.08.2017
Transmission Date	11.08.2017

