

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.695 of 2016

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Shrawan Kumar Jha, aged about 45 years, Son of Rajendra Jha, R/o Village + Post-Panchvir, P.S.-Sahebpur Kamal, District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Niti Kumari, Wife of Sharwan Kumar Jha, D/o late Trivenikant Thakur, at present Basundhara Res. House, Budhwa Mahadeo Chowk, Hazaribag, P.S.-Hazaribag (Town), District-Hazaribag.

Permanent Address : Village+Post-Raghunathpur, P.S.-Sahebpur Kamal, District-Begusarai.

Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ranjit Jha, Adv.

For the Respondent/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT & ORDER

Date: 31-01-2017

Heard the parties.

2. The present criminal revision application, under Section 19(4) of the Family Court Act, 1984 has been filed to assail the order, dated 25.04.2016, passed by the learned Principal Judge, Family Court, Begusarai, on a petition filed by opposite party No. 2, under Section 24 of the Hindu Marriage Act, in Divorce Case No. 46 of 2014, filed under Sections 13(1-a) and 13 (1-b) of the Hindu



Marriage Act, 1955, whereby, learned Family Court had partly allowed the prayer for maintenance and has directed the petitioner to pay a sum of Rs. 5,000/- per month to opposite party No. 2.

3. In my view, this application cannot be maintained, as an application under Section 19(4) of the Family Court Act can be filed against an order under Chapter-IX of the Code of Criminal Procedure, 1973.

4. The petitioner, however, shall be at liberty to take recourse to appropriate provision of law, if available, for assailing the impugned order.

5. This criminal revision application is, accordingly, dismissed but with the observation as above.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
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