

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No 31525 of 2016

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

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Saurabh Raj son of Ram Bahadur Yadav, Resident of Village- Sandalpur, Police Station- Kasim Bazar, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Soni Kumari wife of Saurabh Raj daughter of Ramu Prasad Yadav, resident of Village- Naulakha, Police Station- Kasim Bazar, District- Munger.

.... Opposite Party/s

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CORAM: HON'BLE MR JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

Date: 04-05-2017

Heard learned counsels for the petitioner, State and Opposite Party No 2.

The present application has been filed for quashing the order dated 10.06.2016 passed by learned Principal Judge, Family Court, Munger in Maintenance Case No 115 of 2015 whereby the petitioner, being the husband of Opposite Party No 2, has been directed to make payment of Rs 3,000/- per month as interim maintenance from 04.04.2016 and Rs 5,000/- towards filing of the maintenance application and attending the Court proceeding till passing of order of interim maintenance and Rs 500/- on each date after passing the order dated 10.06.2016.

IA No 2383 of 2016 has been filed with a prayer to stay the operation of impugned order dated 10.06.2016 in Maintenance Case No 115 of 2015. It is submitted by the learned counsel for the



petitioner that though Opposite Party No 2 has performed second marriage but the petitioner is still ready to keep her and in the circumstances prayed for modification of the interim order with regard to the quantum of interim maintenance.

In view of this, if the petitioner is inclined to get the order of interim maintenance varied in the changed circumstance, he has the alternative remedy under Section 127 of Cr P C.

This application is disposed of with liberty to the petitioner to file an application, if so advised, under Section 127 of Cr P C.

It is expected from the learned Court below to conclude the maintenance proceedings preferably within a period of six months from today.

(Dinesh Kumar Singh, J)

M.E.H./-

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