

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3775 of 2018

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1. Sanjay Yadav,
2. Rajbansh Yadav
Both Sons of Rupchand Yadav,
3. Manju Devi W/o Rajbansh Yadav,
4. Rupchand Yadav S/o Late Devnath Yadav,
5. Mamta Devi W/o Rupchand Yadav,
All are R/o Village- Dhanihari, P.O. + P.S.- Durgawati, District- Kaimur
(Bhabua).

.... Petitioners

Versus

1. The State of Bihar.
2. Rambha Devi W/o Raju Yadav, R/o Village- Dhanihari, P.O. + P.S.-
Durgawati, District- Kaimur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Sahay, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 16-08-2018 This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 04.12.2017 passed in Cr. Appeal No.88 of 2016 by the learned Sessions Judge, Kaimur at Bhabua affirming the order dated 03.10.2016 passed by the learned A.C.J.M.-IV, Bhabua in Domestic Violence Complaint Case No.796 of 2016 whereby the



petitioners have been directed to pay an interim maintenance of Rs. 1,500/- per month in favour of the opposite party no.2

In the opinion of this Court, against an appellate order passed by the Session Judge, an application under Section 482 of the Code of Criminal Procedure would not be maintainable.

At this stage, learned counsel for the petitioners submitted that this application may be disposed of with liberty to the petitioners to challenge the order impugned dated 04.12.2017 passed in Cr. Appeal No.88 of 2016 by way of filing a revision application before this Court.

In view of the submission made above, the application is disposed of with liberty aforestated.

In case, the petitioners submits photocopy of the Annexures-3 and Annexures-4 to the present application before the Registry, the same shall be kept on record and the certified copy should be returned to the learned counsel appearing for the petitioners.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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