

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1253 of 2016

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

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Dhiraj Kumar Singh Son of Shyam Bahadur Singh, Resident of Village-Beldiha,
P.O. Ahir, P.S. Dhoriya, District Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chanda Devi, Wife of Anil Das, Daughter of late Jagarnath Singh, Resident of
Ranjodha, P.S Dhoriya, District Banka.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr. Binod Kumar No. 3 A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 07-09-2018

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 28.10.2015 passed by learned Principal Judge, Family Court, Banka, in Criminal Revision No. 107 of 2015 by which the learned Principal Judge has rejected the petition dated 9.10.2015 on the ground of maintainability of the petition as the Principal Judge has same power as of SDJM under Section 125 Cr. P.C. and refused to entertain the impugned order dated 11.11.2014 passed by learned Sub Divisional Judicial Magistrate, Banka, in Misc. Case No. 102 of 2012 by which he has granted ad-interim maintenance to the opposite party No. 2.

2. None appeared on behalf of the petitioner.



3. Counsel for the State is present.

4. From the order dated 30.10.2017 it appears that none appeared on behalf of the petitioner on that day.

5. Since the impugned order has been passed for granting ad-interim maintenance to the opposite party No. 2, this Court is not inclined to interfere with the impugned order.

6. This Criminal Miscellaneous application is accordingly dismissed.

7. The court below is directed to make efforts to pass final order in the maintenance case preferably within a period of six months from the date of receipt of this order by giving short adjournment.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12/09/2018
Transmission Date	12/09/2018

