

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49629 of 2016

Arising Out of PS. Case No.- Year-1111 Thana- District-

Dilip Kumar

... .. Petitioner/s

Versus

Rajni Gandha and Anr

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 17-07-2019 This application is against grant of ad interim maintenance, in a proceeding under Section 125 Cr.P.C., by the learned Principal Judge, Family Court, Samastipur, in Maintenance Case No. 81 of 2014.

On 16.09.2016, a Division Bench of this Court in **Md. Akil Ahmad vs. The State of Bihar & Anr.** reported in **2016(4) PLJR 968** held that an application under Article 227 of the Constitution of India would lie against order of ad interim maintenance passed under Section 125 Cr.P.C. in the light of provisions under Section 19(4) of the Family Courts Act, 1984.

This application was filed on 17.11.2016. In the circumstance, learned counsel for the petitioner is permitted to convert this application into an application under Article 227 of the Constitution of India.

The entire formalities be completed within four weeks.

(Birendra Kumar, J)

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