

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No. 86 of 2018

Arising Out of Maintenance Case No.- 255 Year- 2015 Thana- District-

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Md. Imteyaz Hussain @ Imtiyaz Hussain Son of Late Mohiuddin, Resident of
Village- Dehalbari, P.S.- Paharkatta, P.S.- Paharkatta, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rezwana Parween, Daughter of Late Najim, Resident of Village- Uchagaon,
P.S.- Goalpokhar, District- North Dinajpur (West Bengal).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Najmul Hoda and Mr. Binay Kumar, Advocates
For the Opposite Party/s	:	Mr. Ram Prakash Kumar, Advocate
For the State	:	Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 15-10-2019

Heard learned counsel for the petitioner; learned APP
for the State and learned counsel for the opposite party no. 2.

2. The petitioner has moved the Court under Section
19(4) of the Family Courts Act, 1984, against the order dated
07.10.2017 passed in Maintenance Case No. 255 of 2015/CIS No.
255 of 2015/Trial No. 255 of 2015, passed by the Principal Judge,
Family Court, Kishanganj by which Rs. 5,000/- per month
maintenance has been allowed in favour of the opposite party no.
2.

3. After some arguments, learned counsel for the
petitioner submitted that the application be disposed off with



liberty to move before the Court below under Section 127 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the ‘Code’).

4. In view thereof, the application stands disposed off with liberty aforesaid.

5. The Court would only observe that non pressing of the present application by the petitioner shall not prejudice his case if an application under Section 127 of the Code is filed by him before the Court below which shall be considered on its own merits, in accordance with law.

(Ahsanuddin Amanullah, J.)

P. Kumar

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