

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.317 of 2020

Arising Out of PS. Case No.- Year-0 Thana- District- Nalanda

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Alokpati Nath Son of Pashupati Nath Resident of Village Bhandajor, P.S. Roh, District Nawada, Present address Alokpati Nath, S/o Pashupati Nath, Resident of Mohalla Hanuman Nagar, New Area, P.S. Nawada, District Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Priyanka Kumari Daughter of Sanjay Singh @ Sanju Singh Resident of Mohalla - Bangalipara Rajgir, P.S.- Rajgir, District - Nalanda at Biharsharif.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Respondent/s : Mr.Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-11-2021 Heard learned counsel for the parties.

This criminal revision application has been filed against the order dated 20.08.2018, passed by learned Principal Judge, Family Court, Nalanda in Maintenance Case No.159(M) of 2016 allowing the petition of O.P. No.2 filed under Section 125 Cr.P.C.

Learned counsel for the petitioner submits that notice was issued to the petitioner and paper publication was also done but he has no knowledge about the paper publication. It is further submitted that O.P. No.2 failed to produce any documentary evidence in support of income of the petitioner. The petitioner has to file an application before the learned court



below for recalling the said order under Section 126(2) Cr.P.C.

Having considered the facts aforesaid, this application is disposed of with a direction that if learned counsel for the petitioner files such an application before the learned court below recalling the order dated 20.08.2018, passed by learned Principal Judge, Family Court, Nalanda in Maintenance Case No.159(M) of 2016, the learned court below shall, after hearing both the sides, pass a speaking order in accordance with law.

Limitation, if any, shall be condoned by the learned court below.

Accordingly, this application is disposed of.

(Anjani Kumar Sharan, J.)

Sanjay/-

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