

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.69 of 2021

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

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ZIAUR RAHMAN @ JIYAUUR RAHMAN Son of Matiur Rahman Resident of Village - Madhopara Ikwai Nagar Aasiyana Colony, P.S.- Khajanchi Hat, Distt.- Purnia.

... .. Petitioners.

Versus

1. The State of Bihar.
2. Juhi Rani W/o Ziaur Rahman @ Jiyaur Rahman, D/o Md. Rajjak Resident of Village - Madhopara Ikwai Nagar Aasiyana Colony, P.S.- Khajanchi Hat, Distt.- Purnia. At present residing at Village - Auliabad Hirdichak, P.S.- Bihpur, Dist.- Bhagalpur.
3. Tausif Rahman Son of Ziaur Rahman @ Jiyaur Rahman Resident of Village - Madhopara Ikwai Nagar Aasiyana Colony, P.S.- Khajanchi Hat, Distt.- Purnia. At present residing at Village - Auliabad Hirdichak, P.S.- Bihpur, Dist.- Bhagalpur.

... .. Respondents.

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Appearance :

For the Petitioner/s : Mr. Md. Hussain
For the Respondent/s : Mrs. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

This criminal revision application has been preferred for quashing the order dated 30.08.2019 passed in Misc. (Maintenance) Case No.109 of 2012 passed by the Principal Judge, Family Court, Bhagalpur, whereby Rs.10,000/- per month has been directed to be paid by the petitioner to opposite party nos.2 & 3 for the maintenance.

After some arguments, learned counsel for the



petitioner very fairly concedes that he has remedy under Section 126 (2) Cr.P.C. to file a recall petition against the order aforesaid.

Accordingly, this revision application is disposed of with a direction to the petitioner to avail the remedy aforesaid before the learned Court below. The learned Court below is also directed to condone the delay, if any, in preferring the recall petition.

(Anjani Kumar Sharan, J)

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