

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.616 of 2017

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

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Smt. Suprita Krishna Daughter of Sunil Kumar Verma, W/o Ashish Kumar Srivastava, Resident of Mohalla- Lala Babu Road, P.S.- Kotwali, District- Gaya, at present Mohi Nagar, near Satsang Mandir, Krishnapuri, Madhubani, P.S.- K. Hat, Distt- Purnia.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Ashish Kumar Srivastava @ Rashish Kumar, Son of Late Shambhu Nath Sahay, Resident of Mohalla- Lala Babu Road, P.S.- Kotwali, District- Gaya, at present C/o Prof. Jitendra Kumar Mitikuan, R/o Bhainsasur, P.S.- Biharsharif, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kumar Binode Bariar, Advocate Mr. Rananjay Kumar, Advocate Mr. Vinod Kumar, Advocate
For the Respondent/s	:	Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 23-03-2023 Heard learned counsel for the petitioner and learned counsel for the State.

Counsel for the petitioner submits that he has filed an application against the order dated 21.02.2017 passed by Principal Judge, Family Court, Purnea in Maintenance Case No. 181 of 2009 against the meager amount of maintenance Rs.3000/- which is lesser than the amount fixed as ad-interim maintenance amount Rs.6000/-.

After some argument, learned counsel for the petitioner seeks liberty to file application under Section 127 of

Cr.P.C. before the trial court itself but he submits that till date total dues is of Rs.2,16,000/- in total against the O.P. No.2 which he is bound to pay under law.

With regard to realization of the arrears amount and the future amount, the petitioner is directed to sue before the Principal Judge, Family Court, Purnea, who shall issue process under Form 18/19 of Schedule-II of Cr.P.C., 1973 at once.

It is also directed to the Principal Judge, Family Court, Purnea that in case of filing an application under section 127 of Cr.P.C. by the petitioner, he shall consider the same and disposed of the application for alteration in allowances within 3 months from the date of filing of the said application.

With this liberty, the present criminal revision application is disposed off.

(Dr. Anshuman, J.)

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