

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.237 of 2019

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

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RAJEEV RANJAN Son of Late Shiv Narayan Bishwas, Resident of village-
Orai Hingna, P.O.-Shankarpur, Police Station-Simraha, District-Araria.

... .. Petitioner/s

Versus

SNEHA JUBLEE @ RONY D/o Rajeev Ranjan At present resides at village-
Pildauri Gali No.5, Police Station-Sultanganj, District-Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 08-04-2024 It appears from the service report of the notice sent to

court that the opposite party no. 1 received the notice, but the

opposite party is not represented.

2. The opposite party is the daughter of the present
petitioner from his marriage with one Sangeeta Kumari @
Daisy. Since the petitioner, who happens to be father of the
opposite party, has solemnized a second marriage in the year
2023. The first wife and his daughter being the petitioner before
the trial court in Misc. (Maintenance) Case No. 58 of 2011, left
the company of the present petitioner and started residing
separately.

3. The daughter of the parties subsequently filed Misc.
(Maintenance) Case No. 58 of 2011, praying for maintenance



and the learned Principal Judge, Family Court, Bhagalpur vide order dated 3rd December, 2018, directed the petitioner to pay maintenance to his daughter @ Rs. 10,000/- per month. The petitioner challenged the said order by filing the instant revision.

4. It is ascertained that during the pendency of the instant revision, the marriage of the opposite party no. 1, who was the petitioner in the trial court in the proceeding under Section 125 of the Cr.P.C., was solemnized.

5. According to the provision of Section 125 of the Cr.P.C. a married daughter is not entitled to get maintenance from her father and the responsibility to maintain her is upon her husband.

6. Considering such statutory provision and in view of changed circumstances, the impugned order dated 3rd December, 2018, passed in Misc. (Maintenance) Case No. 58 of 2011, by the learned Principal Judge, Family Court, Bhagalpur is quashed and set aside.

7. The instant revision is accordingly allowed.

(Bibek Chaudhuri, J)

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