

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.289 of 2023**

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

NAUSAD @ NAUSAD ALAM Son of Etwari R/o village - Pipra Bijwara,
Ward No.- 06, P.S.- Palasi, District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rakhsar Wife of Nausad D/o Ramjan, R/o village - Pipra Bijwara, Ward
No.- 06, P.S.- Palasi, District - Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh, Advocate
For the Respondent/s : Mr.Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER**

3 20-07-2024

Interlocutory Application No. 01 of 2023

For the reasons assigned in the application and the
submissions advanced on behalf of the parties, the prayer for
condonation is allowed. The delay for filing this revision
petition which is bared by 70 days is, hereby, condoned.

2. The interlocutory application stands allowed.

Cr. Revision No. 289/2023

4. Heard on admission.

5. This revision petition has been filed by petitioner/
husband of O.P. No. 2 being aggrieved with the order dated
17.10.2022 passed by learned Principal Judge, Family Court,
Araria in Maintenance Case No. 206/2021 whereby the



petitioner has been directed to pay a monthly maintenance of Rs. 6,000/- to his wife (O.P. No. 2).

6. Learned counsel for the petitioner submits that as of now, the O.P. No. 2 has being married with another person namely Akil and she is residing with her second husband and therefore, she is not entitled to get any maintenance from the petitioner from the date of her second marriage.

7. Learned counsel prays to dispose of this petition with liberty to the petitioner to file application under Section 127 Cr.P.C. before the learned court below on the grounds discussed earlier.

8. On the request made by learned counsel for the petitioner, this petition is dismissed with the aforesaid liberty.

(Arvind Singh Chandel , J)

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