

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.287 of 2022

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

Shyam Bihari Singh @ Raju Kumar

... .. Petitioner

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Petitioner	:	Mr. Sunil Kumar Singh, Advocate
		Mr. Bibhaker Tiwari, Advocate
For the Respondent	:	Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 24-10-2024 Heard learned counsel for the Petitioner and learned
APP for the State.

2. The present Revision Petition has been preferred by the Petitioner against the impugned order dated 29.08.2019 whereby learned Principal Judge, Family Court, Munger has granted maintenance to the wife and two children.

3. Learned counsel for the Petitioner submits that this order has been passed without service of notice upon the Petitioner. Here learned counsel for the Petitioner concedes that under Section 126(2) of Cr.PC he has remedy to set aside such order on showing good cause. However, he has not preferred any application under Section 126(2) Cr.PC, but he is saying that it is already too late. He may be granted liberty to file appropriate application under Section 126(2) Cr.PC and learned



Family Court may be directed to entertain the application and decide the same within the shortest time possible.

4. In view of the aforesaid facts and circumstances and submissions of learned counsel for the Petitioner, the present petition is dismissed as withdrawn giving liberty to the Petitioner to move appropriate application under Section 126(2) Cr.PC for his relief.

5. Learned Family Court is requested to entertain his application if he files his application within one month of this order and dispose it of within the shortest time possible in view of urgency of the matter.

(Jitendra Kumar, J.)

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