

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.41 of 2020

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

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Ravish Kumar, Son Of Bhaso Yadav, Resident Of Village-Pratappur, Police Station-Shambhuganj, District-Banka.

... .. Petitioner/s

Versus

Manisha Devi, Daughter Of Basuki Yadav, Presently Residing At Barsabad, Police Station-Shambhuganj, District-Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak, Advocate
For the O.P. : Mr.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

6 04-03-2025 The present revision petition has been preferred against the impugned judgment dated 27.11.2018, passed by learned Principal Judge, Family Court, Banka in Misc. (Maintenance) Case No. 68 of 2018, whereby the learned Family Court has passed *ex-parte* judgment, directing the petitioner to pay Rs. 6,000/- per month to his wife towards her maintenance.

2. Learned counsel for the petitioner submits that the judgment has been passed *ex-parte*, though he was not served upon any notice. Hence, he was confronted with the provisions of Section 126(2) Cr.PC, which provides provision for filing appropriate application before the Family Court to set aside the *ex-parte* order. Hence, he is seeking permission to withdraw the



present petition with liberty to file an appropriate application for setting aside the *ex-parte* order before the learned Family Court.

3. Permission is accorded.

4. Accordingly, the present petition is dismissed as withdrawn with liberty to the petitioner to file an appropriate application before the Family Court for setting aside the impugned *ex-parte* order under Section 126(2) Cr.PC.

(Jitendra Kumar, J)

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