

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37966 of 2025

In
CRIMINAL REVISION No.576 of 2019

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

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Vidyanand Yadav @ Bidyanand Yadav, S/o Ramavatar Yadav @ Ramavatwar Yadav, R/o - Hanuman Nagar, Ward No.05, P.O - Murho, P.S and District - Madhepura, Presently Residing At Jai Prakash Nagar, Ward No.06, Madhepura, P.S And District - Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manju Kumari, W/o Vidyanand Yadav, D/o Late Brahm Narayan Yadav R/o vill - Hanuman Nagar, ward no. 6, P.O. - Murho, P.S. - Madhepura, Distt.- Madhepura, Presently residing at Jai Prakash Nagar, Ward No. 6, Madhepura, P.S.- Madhepura, Distt.- Madhepura
3. Sweta Priya @ Lusi Kumari, D/o Vidyanand Yadav, Minor through guardian Mother Manju Kumari, R/o vill - Hanuman Nagar, Ward No. 6, P.O - Murho, P.S.- Madhepura, Distt.- Madhepura, Presently residing at Jai Prakash Nagar, Ward No. 6, Madhepura, P.S.- Madhepura, Distt.- Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate.
For the Opposite State : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 01-08-2025 This Criminal Miscellaneous application has been filed by the petitioner for modification of the order dated 24.10.2024 passed by this Court in Cr. Misc. No. 576 of 2019 whereby the petitioner was given liberty to file an appropriate application under Section 126(2) Cr.PC within one month. However, he filed the said application before the Family Court under Section 126(2) Cr.PC after one month, and accordingly, his application was dismissed on account of delay by learned



Family Court.

2. Now, the petitioner has moved this Court for extension of time for filing the application under Section 126(2) Cr.PC before learned Family Court.

3. I find that present petition is misconceived and now, this Court is unable to extend the time for filing the application under Section 126(2) Cr.PC because he has already filed the application and the same has been dismissed by learned Family Court. Now, only course available to the petitioner is to take proper remedy against the order whereby the application of the petitioner filed under Section 126(2) Cr.PC has been dismissed.

4. Accordingly, the present petition stands dismissed.

(Jitendra Kumar, J)

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