

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.976 of 2024

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

Subham Singh Son of Gunjan Singh Village- Baheri PO- Kamalpur PS-
Dhina District- Chandali State- Uttar Pradesh

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Anu @ Puja Kumari Daughter of Arjun Singh village- Dumariya,
Po- Bishnupura, Ps- Koilwar, Dist- Bhojpur

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Abhay Kumar, Advocate
For the State	:	Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 13-10-2025 The instant criminal revision petition has been filed against the order dated 16.03.2024 passed in Divorce Case No. 311 of 2023 by learned Principal Judge, Family Court, Chandauli (U.P.), whereby and whereunder the petitioner has been directed to pay a sum of Rs. 2,500/- per month as interim maintenance to opposite party no. 2. It further transpired that subsequently the divorce case was transferred by the orders of Hon'ble Supreme Court to the court of learned Principal Judge, Family Court, Ara, Bhojpur. Against an order passed in a matrimonial proceeding allowing interim maintenance to opposite party no. 2, criminal revision petition is not maintainable. This defect was pointed out by the office and



pecially in the order of Joint Registrar (Judicial) that the present petition ought to have been filed petition under Article 227 of the Constitution under Civil Miscellaneous Jurisdiction. But no such steps have been taken by the learned counsel for the petitioner.

2. Faced with the situation, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file fresh petition under Civil Miscellaneous Jurisdiction.

3. Permission is accorded.

4. Accordingly, the present petition is dismissed as withdrawn with liberty as aforesaid.

(Arun Kumar Jha, J)

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